FREEDOM OF INFORMATION AND PRIVACY ACTS

SUBJECT: Roy M. Cohn

FILE NUMBERS:9-31071, 29-61044, and 45-11251

PART: 1 of 23



FEDERAL BUREAU OF INVESTIGATION

SUBJECT Roy M. Cohn:

FILE NUMBER 9-31071

SECTION NUMBER

File reduced to microfilm.
Best Copy Available.

19 pages

SAC, New York

10/22/56

Director, FBI

UNKNOWN SUBJECT;
SENATOR JOSEPH MC CARTHY, ET AL. -
VICTIMS
EXTORTION

Enclosed are two copies of message contained on U. S. postal card and addressed as indicated which was furnished the Bureau by Roy M. Cohn, 29 Broadway, New York 6, New York. Instant card, which is postmarked Los Angeles, California, 10/6/56, is in ink and the message is set forth in script and written form and contains no signature.

You should discuss this matter with the United States Attorney both at Los Angeles and New York to determine if this is violation within Bureau's jurisdiction or whether such should be handled by postal authorities. You should thereafter be guided by his opinion as to whether or not you should conduct investigation in this matter or refer it to the postal authorities.

The original of instant postal card is being retained in the Laboratory where it will be compared in the anonymous letter file. You will be advised of the results of such examination and furnished with photographic copies of both sides of this postal card.

Suairtel results of your contact with United States Attorneys.

RECORDED

Enclosures (2)

CC: 2 - Los Angeles (Enclosures 2)

(6)

SE 1

NOTE: Instant card contains [illegible] a rambling, disjointed [illegible] phrases. It is addressed to [illegible]

Dirty Roy Cohn
Fordham University Law School
39 - Broadway
N.Y.C. N.Y.
Supported by J. Edgar Hoover - [illegible]
Spellman's Disciple

OCT 20 1956

OCT 22 1956 COMM-FBI

4-11 (Rev. 9-16-58)

FEDERAL BUREAU OF INVESTIGATION

_____, 1958

TO:

— Director
— Mr. Tolson, 5744
— Mr. Boardman, 5736
— Mr. Belmont, 1742
— Mr. Mohr, 5517
— Mr. Parsons, 7621
— Mr. Rosen, 5706
— Mr. Tamm, 5256
— Mr. Trotter, 4130 IB
— Mr. Sizoo, 1742

— Mr. Nichols, 5640
— Mr. McGuire, 5642
— Mr. Wick, 5634
— Mr. DeLoach, 5636
— Mr. Morgan, 5625

— Mr. Jones, 4236
— Mr. Leonard, 6222 IB
— Mr. Walkart, 7204
— Mr. Eames, 7206
— Mr. Sherry, 5537

— Mr. Neuse, 5744
— Miss Gandy, 5633
— Mr. Holloman, 5633

— Records Branch
— Pers. Records, 6631
— Reading Room, 5531
— Mail Room, 5533
— Teletype, 5644
— Code Room, 4642
— Mechanical, B-[illegible]
— Supply Room, B-[illegible]
— Tour Room, 5625

— Miss Lutz
— Mrs. Foter
— Miss McCurd
— Miss Rogers
— Miss Lopez
— Miss Price

— See Me
— Your Info

— Appropriate action

— Note & Return

62-31071-1

L.B.
Room [illegible]

TRUE COPY

You old bastard—xion front dirty—corrupt—
inquisitionist—F. B. I. Chief Kelly
of N. Y. C. makes all the following &
crooks clear! —①Emmy O' Brien of
N. Y. C. welfare where are the memos
for litigation on proceedings to
recover rental overcharges in the
Bronx— Tipsy Emmy tore them up
because she got paid off from
Minnie Rosang landlord of Bx.
She has whiskey even in her tits
McCarthy's gal— etc

②O'Leary - of Qns center—
crook punished honest investig-
ators removing fraud cases
from welfare—backed by Hibernians
(Irish crooks).

Chief Kennedy—Police Chief
—Gambler & crooked cops etc
bookies etc

b7C

ADDRESSED TO:

FBI Headquarters —
℅ Sen. Joe. McCarthy —
& Dirty Roy Cohn —
Fordham University Law School.
39 - Bronx
N. Y. C. N. Y.
Supported by J. Edgar Hoover - Chief
Spellman's Disciple

[illegible] 8-3107 [illegible]

FBI

Date: 10/23/56

Transmit the following message via AIRTEL

(Priority or Method of Mailing)

FROM: SAC, NEW YORK (9-New)

TO : DIRECTOR, FBI

UNKNOWN SUBJEC.;
SENATOR JOSEPH MC CARTHY, ET AL -
VICTIMS
EXTORTION

ReBuairtel, 10/22/56.

This matter was discussed this date with SILVIO J. MOLLO, AUSA, SDNY. MOLLO declined prosecution. Stated he believed it to be a "crank" letter. Requests no investigation. Does not desire matter be referred to postal authorities inasmuch as there is no definite information contained in letter which postal authorities could check out.

KELLY

(3) - Bureau (RM)
2 - Los Angeles (RM)
1 - New York (9-New)

[redacted]

b7C

Mr. Tolson

[redacted]

Sent _____ M Per _____

Special Agent in Charge

REPORT
of the

FBI
LABORATORY

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.

To SAC, New York

October 26, 19[illegible]

Re Unknown Subject
[illegible], et al -
FIKI

John Edgar Hoover

YOUR FILE NO.
FBI FILE NO.
LAB. NO. D-230905 L

Examination requested by Bureau

Reference - Ltr 10/19/56 to New York
and Los Angeles

Examination requested Document

Specimens:

Q1 U. S. postal card bearing handwritten address "FBI Headquarters - c/o Gen. Jos. M. Carson - & Dirty Joe McCohn - Fordham University Law School 39 Frnj E. Y. C. N. Y.," postmarked Los Angeles, Calif. 10/6/56, 2:[illegible]

Results of Examinations

The handwriting and hand printing on Q1 were searched in the appropriate sections of the Anonymous Letter File. No identification was effected.

Q1 is retained in the Bureau files. Photographs of this specimen are attached for your office and the Los Angeles Office.

Enclosure (1)

2 - Los Angeles - Enclosure (1)

RECORDED - 11

(16)

EX-125

1 NOV 1956

7-2

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

RECD: DEC 10-19-56 ebt

Laboratory Work Sheet

NO LAB FILE

OBSCENE

Re: UNKNOWN SUBJECT;
SENATOR JOSEPH MC CARTHY, ET AL.,-
VICTIM

File #
Lab. # B-238905 EB

Examination requested by: Bureau

Date of reference communication: Memo 10-19-56 Date received: 10-19-56

Examination requested: Document

Result of Examination:

Examination by:

Specimens submitted for examination

Q1 U. S. postal card bearing hdw. addr. "FBI Headquarters- c/o Sen. Joe. McCarthy - & Dirty Roy Cohn - Fordham University Law School 39 Mrey N.Y.C. N.J.", postmarked Los Angeles, Calif. 10-6-56, 9:30 P.M.

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

REC'D 12-19-56

Laboratory Work Sheet

etc

N

Re

BSCARE

File #
Lab #

D-

Examination requested by:

Date of reference communication

Date received

Examination requested

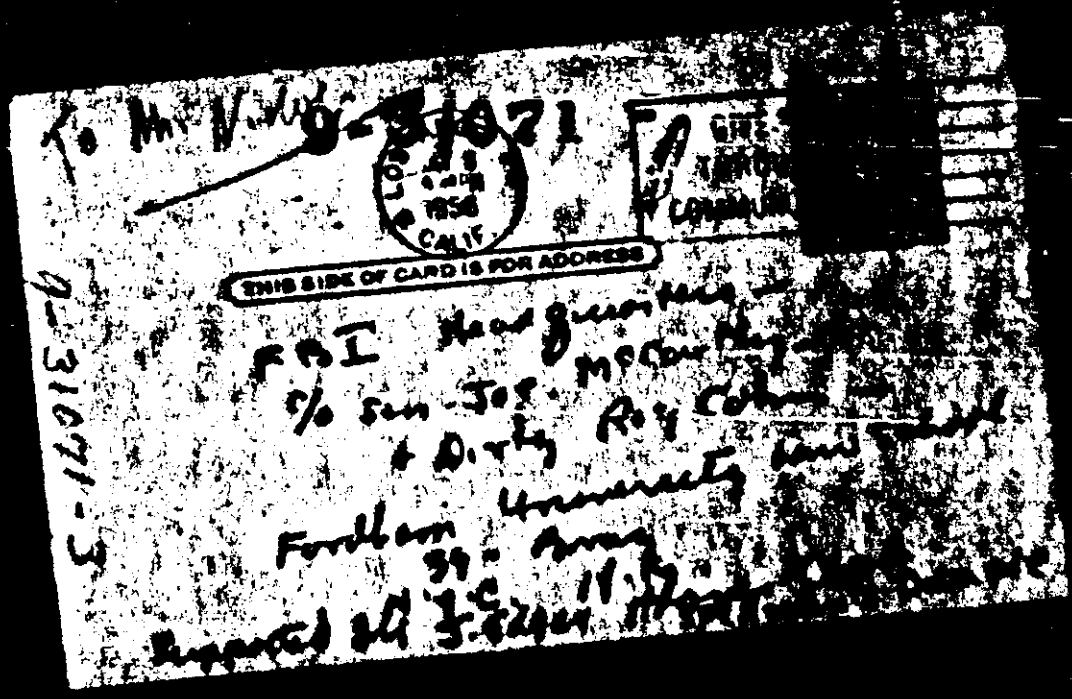
Result of Examination:

Examiner

Specimens submitted for examination

U.S. postal card bearing hdw. addr. "FBI Headquarters c/o [illegible] McCarthy - A Dirty Key John - Florida University ... School ... N.I.C.U. H.S.", postmarked Los Angeles, Calif. 12-18-56, 9PM PST.

FBI


THIS SIDE OF CARD IS FOR ADDRESS

You old Bastard - Xian F...
DIRTY - CORRUPT - Inquisit...
1ST - 7, B.I. Chief Kelly
of NYC makes all the
following cracks clear! -
Emmy O'Brien of N.Y.C. welfa...
when the name Rollingsa...
on Success Is Wonderful Rawhide
overcharge in the Bronx -
Tipsy Emmy took them up
because she got paid off A from
Minnie Rosary Hand Lotion SK -
Shotgs whiskey ev... heritage
McCarthy's Gal - etc
(5) O'Leary - of Gas Co. fame, -
Crook published honest investig-
ators removing fraud cases
from welfare - Nobody Heard
(Spade, Cooley)
CHIEF KELLY 1st Police Clerk
Sam Weller Sandbox
Cobb etc Burlight etc

ROY M COHN
29 BROADWAY
NEW YORK 6, N.Y.

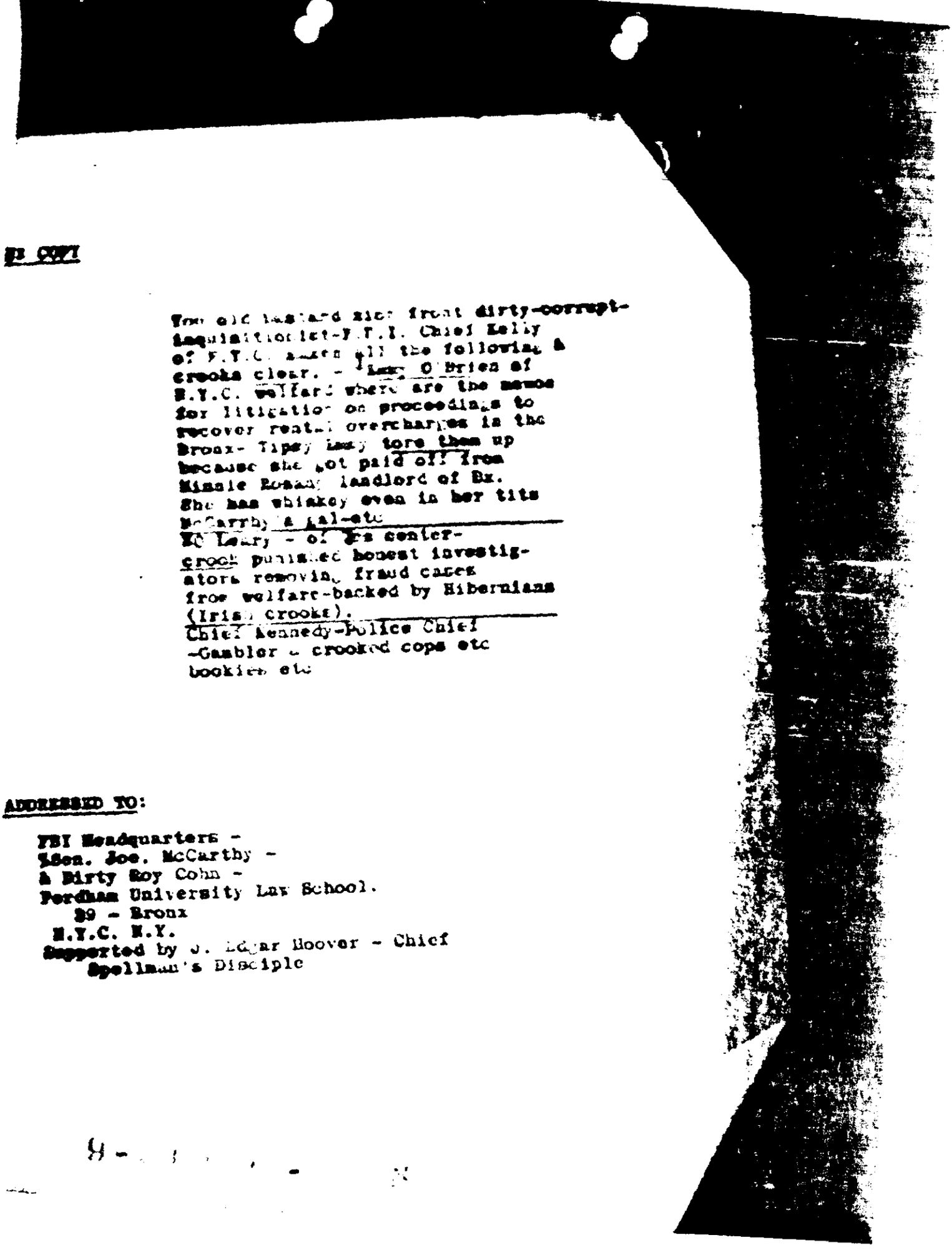
NEW YORK N.Y.
6-PM

CHURCH
STATE



Mr. Lou Nichols
Department of Justice
F.B.I.
Washington, D. C.

9-31071



Xerox copy

[illegible] old bastard sick front dirty-corrupt-
[illegible]-F.B.I. Chief Kelly
of N.Y.C. [illegible] all the following &
crooks clear. - Mary O Brien of
N.Y.C. welfare where are the memos
for litigation or proceedings to
recover rental overcharges in the
Bronx- Tipsy Mary tore them up
because she got paid off from
Minnie Rosen landlord of Bx.
She has whiskey even in her tits
McCarthy & Kal-etc

Mc Leary - of Bx center-
crook punished honest investig-
ators removing fraud cases
from welfare-backed by Hibernians
(Irish crooks).

Chief Kennedy-Police Chief
-Gambler - crooked cops etc
bookies etc

ADDRESSED TO:

FBI Headquarters -
Sen. Joe. McCarthy -
& Dirty Roy Cohn -
Fordham University Law School.
39 - Bronx
N.Y.C. N.Y.
Supported by J. Edgar Hoover - Chief
Spellman's Disciple

AIR MAIL

(Priority or Method of Mailing)

TO : DIRECTOR, FBI

FROM: SAC, LOS ANGELES (9-New)

UNSUB.; SEN. JOSEPH MC CARTHY, ET AL - VICTIMS. EXTORTION.

Rebumirtel 10/22/56.

Facts presented AUSA JOHN DUNCAN, LA, who furnished opinion postal card received by victim does not constitute violation Extortion Statute or any other violation within Bureau's jurisdiction. AUSA DUNCAN also furnished opinion content of postal card not sufficiently obscene to violate postal statutes.

No further action being taken this office. Report will follow.

MALONE

3 - Bureau
1 - New York
1 - Los Angeles

[redacted]
(2)

Mr. Tolson

100-PDFD-25

1956

6 1956

Approved: [redacted]

FEDERAL BUREAU OF INVESTIGATION

NEW YORK	NEW YORK	11/2/56	10/22,23/56

REPORT MADE BY

[redacted]

UNSUB;
SENATOR JOSEPH MC CARTHY;
ROY M. COHN -
VICTIMS

EXTORTION

b7C

A rambling, non-specific postal card was received by ROY M. COHN, postmarked Los Angeles, California, 10/6/56. Facts presented to SILVIO J. MOLLO, AUSA, SDNY, 10/23/56. Prosecution declined. Case closed.

- C -

DETAILS:

This case is predicated upon Bureau letter dated October 22, 1956, which set forth contents of a postal card postmarked October 6, 1956, Los Angeles, California, addressed to ROY M. COHN.

On October 22, 1956, the Bureau transmitted to the New York Office a transcript of a message which was contained on a United States Postal Card, and addressed to: "FBI Headquarters, in care of SENATOR JOE MC CARTHY and Dirty ROY COHN - Fordham University Law

1 - Bureau
1 - USA, SDNY
1 - Los Angeles ((INFO)
1 - New York (9-2374)

RECORDED-36

School, 39-Bronx, New York City, New York, Supported by J. EDGAR HOOVER, Chief SPELLMAN's Disciple".

This card, which was postmarked Los Angeles, California, October 5, 1956, was written in ink, and the message was set forth in script and written form, and contained no signature. The postal card read as follows:

"You old (obscene) front dirty - corrupt - inquisitionist - FBI Chief KELLY of New York City makes all the following and crooks clear - EMMY O'BRIEN of New York City Welfare where are the memos for litigation on proceeds to recover rental overcharges in the Bx - TIPSY EMMY tore them up because she got paid off from MINNIE ROSANO landlord of Bx (deleted)(obscene) -- - - - - - MC CARTHY's gal etc. 2 O'LEARY of One center - crook punished honest investigators removing fraud case from Welfare - because by Hibernians (Irish crooks)."

On October 23, 1956, this matter was discussed with SILVIO J. MOLLO, Assistant United States Attorney, Southern District of New York. MOLLO declined prosecution stating that he believed this to be a "crank" letter. Mr. MOLLO further stated that he did not desire this matter to be referred to the postal authorities inasmuch as there is no definite information contained therein which postal authorities could check out.

- C -

ADMINISTRATIVE

One copy of this report is being transmitted to Los Angeles for information, inasmuch as Los Angeles has received a previous communication from the Bureau on this matter.

REFERENCE:

Bulet to New York, 10/22/56.

New York airtel to Bureau, 10/23/56.

ADMINISTRATIVE PAGE

8-31071 - 45

FEDERAL BUREAU OF INVESTIGATION

LOS ANGELES	NEW YORK	11/5/56	10/24/56

TITLE OF CASE

UNKNOWN SUBJECT; [redacted] JOSEPH MC CARTHY, ET AL - VICTIM

CHARACTER OF CASE

EXTORTION

b7C

Synopsis:

AUSA JOHN DUNCAN, Los Angeles, California, furnished opinion postal card received by victim does not constitute violation of Extortion Statute and not sufficiently obscene to violate postal statutes.

- RUC -

DETAILS:

On October 22, 1956, the Bureau furnished a photostatic copy of a postal card postmarked October 6, 1956 and addressed in ink to "FBI Headquarters - Sen. Joe. McCarthy - & Dirty Roy Cohn - Fordham University Law School, 3[illegible] - Bronx, N.Y.C. N.Y. Supported by J. Edgar Hoover - Chief Spellman's Disciple". The Bureau advised that the message contained on this card was written in ink and contains no signature.

The Bureau advised that this matter should be discussed with the United States Attorney at Los Angeles to determine if the postal card constituted a violation within the Bureau's jurisdiction or if it was a matter that should be handled by postal authorities.

Approved: [redacted] Special Agent in Charge

Do not write in spaces below

Copies made:

4 - Bureau
2 - USA, Los Angeles (Encl. 1)
3 - New York
(1 - USA, New York -- Encl. 1)
2 - Los Angeles (9-1922)

RECORDED - 62

NOV 13 1956

9-3107-[illegible]

62

NOV 19 1956

LA 9-1922

On October 22, 1956 the postal card noted above was displayed to Assistant United States Attorney JOEL DUNCAN at Los Angeles. Mr. DUNCAN furnished the opinion that the postal card received by victim does not constitute a violation of the Extortion Statute or any other violation within the Bureau's jurisdiction. Mr. DUNCAN further advised that it was his opinion the postal card was not sufficiently obscene to violate the Postal Statutes.

ENCLOSURE: TO THE U. S. ATTORNEY, LOS ANGELES (Under Obscene Cover):

One (1) typewritten copy of postal card received by victim postmarked October 6, 1956 at Los Angeles.

TO THE U. S. ATTORNEY, NEW YORK (Under Obscene Cover):

One (1) typewritten copy of postal card received by victim postmarked October 6, 1956 at Los Angeles.

- RUC -

NY 9-1322

REFERENCE

Bureau letter to New York dated 10/22/56

Los Angeles airtel to Bureau dated 10/24/56

[redacted] 6

ADMINISTRATIVE PAGE

SUBJECT Roy M. Cohn

FILE NUMBER 39-61044

SECTION NUMBER

1 page

0-19 (Rev. 10-1-71)

Tolson
Felt
Rosen
Mohr
Bishop
Miller, E.S.
Callahan
Casper
Conrad
Dalbey
Cleveland
Ponder
Bates
Tavel
Walters
Soyars
Tele. Room
Holmes
Gandy

b7C [redacted]

Judge in Roy Cohn Case Rejects Prosecution Bid for a Mistrial

By ARNOLD H. LUBASCH

The prosecution in the Federal court trial of Roy M. Cohn requested a mistrial yesterday after the defense told the jury that Mr. Cohn had been acquitted in a previous trial.

Judge Charles H. Tenney denied the request by Thomas H. Coghill, the prosecutor. Mr. Cohn is charged with making false statements to conceal information about $350,000 he obtained from Fifth Avenue Coach Lines, Inc.

Thomas A. Bolan, the defense lawyer, noted during his cross-examination of a key prosecution witness that the witness had also testified against Mr. Cohn in a 1969 trial that ended in acquittal.

In a conference out of hearing of the jury, Mr. Coghill complained that the acquittal reference was prejudicial, but his motion for a mistrial was opposed by the defense and rejected by the judge.

Experienced criminal lawyers said they could not recall previous instances of a prosecutor's requesting a mistrial.

Edward Krock, a Massachusetts financier, will begin his fourth day of testimony when the trial resumes at 10:30 A.M. today in the United States Court House at Foley Square.

The financier, who had been treasurer of Fifth Avenue Coach Lines, testified last Friday that the bus company made a $300,000 payment to Mr. Cohn in 1966 to enable him to repay money he had borrowed from the company's top officials.

Under persistent cross-examination, the witness conceded that he had lied many times to a Federal grand jury and that he had been fined $22,500 after he pleaded guilty to filing false statements with the Securities and Exchange Commission.

The Krock testimony included statements that his net worth was $18-million, that he had six Cadillacs and that the fine was not a drain on his resources.

The defense repeatedly attacked the credibility of Mr. Krock's testimony that Mr. Cohn had obtained money from Fifth Avenue Coach as part of an arrangement to pay back officials of the company.

Mr. Cohn was accused by the prosecution of diverting the company's money for his own use, then concealing the diversion in an annual report and two proxy statements to the company's stockholders and the S.E.C.

b7C [redacted]

The Washington Post
Times Herald
The Washington Daily News
The Evening Star (Washington)
The Sunday Star (Washington)
Daily News (New York)
Sunday News (New York)
New York Post
The New York Times
The Daily World
The New Leader
The Wall Street Journal
The National Observer
People's World

Date OCT 6 1971

EX-112

61044 — A1

NOT RECORDED
OCT 21 1971

OCT 15

29 —

54 NOV 1 1971

b7C [redacted]

SUBJECT Roy M. COHN

FILE NUMBER 45-11251

VOLUME NUMBER 1

Documents which were referred from Department of Justice, Criminal Division.

109 pages

Assistant Engineer's license for vessels of 1800 horsepower.

The file disclosed [redacted] has Social Security Account Number [redacted] and listed his mother as [redacted]

No vessels on which [redacted] served were listed in the file and Special Agent [redacted] advised due to inactivity of [redacted] his file had been sent to closed record section of U.S. Coast Guard.

No additional pertinent information was contained in the file.

AT PORT CANAVERAL, FLORIDA

On May 2, 1974, an attempt was made to locate the "Defiance" in order that a judgment could be made regarding the feasibility of raising the vessel or of conducting a limited crime scene search as requested by Departmental Attorney LAURENCE S. MC WHORTER.

The Port Everglades Towing Company, crew, LCU, equipment, divers and technicians furnished by the U.S. Air Force were utilized in the effort. The target area (previously furnished by the U. S. Coast Guard) and an area extending 1½ miles out in all directions, was thoroughly searched for approximately seven hours. The sonar equipment carried over the side of the LCU failed to locate a target similar to the "Defiance".

This information was telephonically furnished to MR. MC WHORTER on May 7, 1974, and he did not suggest continuing the search.

Personnel on board the LCU consider the coordinates furnished by the U.S. Coast Guard to be accurate, especially in view of the fact that this position was plotted by two Coast Guard cutters and a helicopter. They pointed out that it could be that the ship traveled a considerable distance underwater before coming to rest on the bottom of the ocean and there could have been enough buoyancy in the tanks of the "Defiance" to cause it

Rev. 1-19-67)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
TAMPA	TAMPA	8/17/73	6/23 - 8/10/73

TITLE OF CASE

UNSUBs;
Possible Destruction of Motor Vessel "Defiance" on the High Seas Off Cape Canaveral, Florida, 6/23/73

REPORT MADE BY: SA [redacted] TYPED B: [redacted]

CHARACTER OF CASE: b7c

CRIME ON THE HIGH SEAS

REFERENCES: Miami nitel to Tampa, 6/23/73;
Miami nitel to Bureau, 6/25/73;
Tampa airtel to Bureau, 7/9/73;
Tampa nitel to Miami, 8/6/73.

3

- P -

LEADS

MIAMI DIVISION

AT MIAMI, FLA.

b7c

Will recontact SA [redacted] U.S. Coast Guard Intelligence Division, re identity of the individual who previously furnished information re the possible destruction of the vessel.

ACCOMPLISHMENTS CLAIMED					NONE	ACQUITTALS
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES	

CASE HAS BEEN: PENDING OVER ONE YEAR [] PENDING PROSECUTIVE OVER SIX MONTHS []

APPROVED: [redacted] SPECIAL AGENT IN CHARGE

DO NOT WRITE IN SPACES BELOW

45-1125 | 5

COPIES MADE:
1 - Bureau
1 - USA, Orlando (RM)
1 - U.S. Coast Guard, Jacksonville (RM)
2 - Miami (45-1578)
2 - Tampa (45-227)

AUG 23 1973

Dissemination Record of Attached Report			
Agency	ICC-DOJ (Crim Div.)		ICC-Coast Guard
Request Recd.	Gen. Crimes		
Date Fwd.	11/4/74		11/4/74
How Fwd.			
By	[redacted]		[redacted]

Notations: [redacted] b7c

COVER PAGE

GPO : 1971—460-980

b7c

AT LAKE WORTH, FLA.

Will expedite efforts to recontact [redacted] re any additional information he might have re this matter.

TAMPA DIVISION

AT COCOA, FLA.

Will, upon completion of leads set out for Miami, will discuss matter with USA, Orlando.

B*

COVER PAGE

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, Orlando (RM)
1 - U.S. Coast Guard, Jacksonville, Fla., (RM)

Report of: SA [redacted] Office: TAMPA
Date: AUGUST 17, 1973

Field Office File #: 45-227 Bureau File #:

Title: UNKNOWN SUBJECTS;
Possible Destruction of Motor Vessel "Defiance" On The High Seas Off Cape Canaveral, Florida June 23, 1973

Character: CRIME ON THE HIGH SEAS

Synopsis:

The "Defiance", a 97 foot all steel vessel caught fire and sank 12 miles off the coast of Cape Canaveral, Florida, during the early A.M. on June 23, 1973. Crew members on board the "Defiance" were Capt. DAVID HERBERT VOGEL, [redacted] VINCENT JOHN MC CARTHY, DOB 3/3/44, GARY ALLAN TEDDER, DOB [redacted] and CHARLES MARTENSEN who, [redacted] was on board and apparently perished when the ship sank. U.S. Coast Guard, Miami, Fla., advised information had been received that the "Defiance" was to be destroyed in order to collect insurance. [redacted] denied having any information concerning the destruction of the "Defiance" for insurance purposes, but admitted the vessel was in a poor state of repair. [redacted] "Pied Piper Yacht Charters, Inc." (PPYCI) leased the "Defiance" to ROY COHN and his New York law firm. [redacted] ROY COHN

b7C

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

U. S. GOVERNMENT PRINTING OFFICE : 1970 O - 406-840

and [redacted] advised they did not benefit in any manner from the destruction of the "Defiance" nor did they have any information regarding the cau[redacted]re. [redacted]

- P -

DETAILS:

Investigation in this matter was predicated upon receipt of information on June 23, 1973, from the U.S. Coast Guard, Miami, Florida. On June 23, 1973, [redacted] advised the "Defiance", a 100 foot seagoing vessel, sank 12 miles east of Cape Kennedy, Florida, which is outside of the U.S. territorial limits, in the early A.M. of June 23, 1973. Additionally he stated there were four individuals on board the "Defiance", one Captain VOGEL, VINCENT MC CARTHY, GARY TEDDER and CHARLES MARTENSEN. The first three individuals survived and the fourth is currently missing. [redacted] believed that MARTENSEN had perished. Additionally [redacted] advised that about two weeks ago his department received information from a confidential source that the "Defiance" was going to be destroyed in order to collect insurance. According to [redacted] the owner of the "Defiance" is ROY COHN, business address 39 East 68th Street, New York City, New York.

On June 25, 1973, U.S. Coast Guard Intelligence, Miami, Florida, advised that the original source regarding the possible destruction of the vessel furnished information to Special Agent [redacted] U.S. Coast Guard Intelligence (USCG). [redacted] was presently on leave [redacted] and the USCG of Miami was unaware of the identity of the original source who furnished the original information to SA [redacted] Additionally USCG, Miami, had obtained information from one [redacted] concerning the ownership and seaworthiness of the vessel.

XXXXXX
XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

9 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☒ Deleted under exemption(s) b3, b7(C), b7(D) with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

_____ Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

_____ Page(s) withheld for the following reason(s):

☐ For your information: _____

☒ The following number is to be used for reference regarding these pages:
45-11251-5 pages 3-11

XXXXXXXXXXXXXXXXXXX
X DELETED PAGE(S) X
X NO DUPLICATION FEE X
X FOR THIS PAGE X
XXXXXXXXXXXXXXXXXXX

XXXXXX
XXXXXX
XXXXXX

On June 28, 1973, [redacted] Investigation Section, USCG, Jacksonville, Florida, telephonically contacted the Tampa Office of the FBI and advised he is handling the Coast Guard investigation regarding the destruction of the "Defiance". Contact has been maintained with [redacted] regarding this matter and as of August 10, 1973, [redacted] advised that the Coast Guard was not in receipt of any information not already known regarding the destruction of the "Defiance".

b7C

On August 10, 1973, [redacted] advised that he would attempt to determine from SA [redacted], USCG, Miami, the identity of the individual who originally furnished the information regarding the possible destruction of the "Defiance" for insurance purposes. Additionally he advised that it appeared that Capt. DAVID VOGEL was not registered with the USCG and efforts to contact Capt. VOGEL have met with negative results.

During the evening of July 18, 1973, [redacted] telephonically contacted the Cocoa, Florida, FBI Office, and advised that [redacted]

b7C
D

SEATTLE DIVISION

On June 28, 1973, SA [redacted] USCG, Intelligence Division, Miami, Florida, was interviewed at Nasell, Washington. He advised that about one month ago a man, name unrecalled, appeared at the USCG Rescue Coordination Center (RCC), 51[redacted] Southwest 1st [redacted], Miami, Florida, claiming to be a former crewman of the "Defiance". This man wanted to make a

b7C

complaint concerning the contemplated sinking of that vessel by other crew members for purposes of obtaining insurance money.

SA [redacted] described this man as appearing to be a derelict seaman of unknown reliability.

[redacted] said that because this man was mad at the crew he was making various allegations concerning the possible destruction of the vessel as indicated above and even alleged that there was possible Mafia involvement.

[redacted] said that he took detailed notes concerning this interview which contained the identity and address of the man as well as other details concerning his statement and these were furnished to [redacted], RCC, USCG, Miami, to be placed in their file concerning the vessel "Defiance". He suggested that upon his return to Miami on July 15, 1973,, he could furnish a detailed statement with assistance of the above mentioned notes.

AT NEWARK DIVISION

[redacted]

4-750 (Rev. 4-17-85)

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FEDERAL BUREAU OF INVESTIGATION

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45-11251-5 pages 14, 15, 16

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FBI/DOJ

AT NEW YORK DIVISION

4-750 (Rev. 4-17-85)

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45-11257 - 5 pages 18-24

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FBI/DOJ

FD-302 (REV. 11-27-70)

FEDERAL BUREAU OF INVESTIGATION

1.

Date of transcription 6/20/73

[redacted] was interviewed at 39 East 68th Street, New York, New York, by Special Agents (SA) [redacted] and [redacted]. At the outset of the interview the Agents identified themselves and furnished to Mr. [redacted] an "Advice of Rights" form. Mr. [redacted] signed the form, and he stated that he would like his associate to call in [redacted] to have him present during the interview, and [redacted] sat in on the interview.

Mr. [redacted] stated that he is an attorney for the law firm Shaw, Mason, Holm and Manley, 39 East 68th Street, New York, New York. Mr. [redacted] noted that the law firm owns this building and is also his residence.

Mr. [redacted] stated that he did not own the yacht the "Defiance". He stated that the yacht was owned by a client of his law firm "First Flyer Yacht Charters Incorporated" (FFYCI). The principal of this firm was FRED COHN, 4515 West Van Buren Street, Chicago, Illinois 60624, telephone 312-626-6665.

[redacted] both parties when "Jevitbo Enterprises" sold the "Defiance" to the FFYCI. Mr. [redacted] stated the sales price was $225,000, $105,000 was the assumption of a mortgage by FFYCI and stock valued at $120,000. At the time of the sale, approximately five years ago, his law firm, Shaw, Mason, Holm and Manley, 39 East 68th Street, leased back the "Defiance" from FFYCI. The lease called for payment of approximately $2,000 a month. This sum was paid directly to the mortgage holder of the $105,000 of which the "Defiance" was the security. The mortgage was issued by Amerus World Associates of 535 Park Avenue, New York, New York, whose principal member was one [redacted].

Mr. [redacted] further advised that the lease called for his law firm to pay all operating and maintenance expenses. He advised that the boat was kept in Florida during the winter and in Edgewater, New Jersey in the summer. Mr. [redacted] stated that the boat was used to entertain his clients and was available for charter.

Interviewed on 6/15/73 at New York, New York File # NY 65-6094

by SA [redacted] 25 Date dictated 6/27/73

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He also noted that he had spent $10 to $15,000 on rebuilding its engine. In his opinion, the boat was in excellent shape. Mr. COHN further advised that through his insurance agent, Walsh and Walsh, 551 Fifth Avenue, New York, he had $200,000 insurance on the boat in the event of total destruction; the same was to be paid to the legal owner, [redacted], less the mortgage amount due to Andrew World Associates, Mr. COHN stated that he had no beneficial interest in the boat and would not profit in any manner from the payment of the insurance. He stated that in his opinion the loss of the boat was an unfortunate accident and not due to any deliberate act.

4-750 (Rev. 4-17-85)

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FEDERAL BUREAU OF INVESTIGATION

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45-11251-5 page 27

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FBI/DOJ

[redacted]

On July 18, 1973, the Federal Bureau of Investigation Identification Division, advised that on the basis of information furnished to them they were unable to identify any record identifiable with [redacted]

On July 16, 1973, the Identification Division advised that on the basis of information furnished a search of the records determined that [redacted]

The records of the Identification Division contained the following record for [redacted]

[redacted]

4-750 (Rev. 4-17-85)

XXXXXX
XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION

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45-11251-5 pages 29, 30, 31

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FBI/DOJ

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
TAMPA	TAMPA	11/13/73	6/25/73 - 10/27/73

TITLE OF CASE

UNSUBS; POSSIBLE DESTRUCTION OF MOTOR VESSEL "DEFIANCE" ON HIGH SEAS OFF CAPE CANAVERAL FLORIDA, JUNE 23, 1973

REPORT MADE BY: SA [redacted] TYPED

CHARACTER OF CASE

CRIME ON HIGH SEAS REC 69 ST-109

b7C

REFERENCE: TP report of SA [redacted] 8/17/73.
TP airtel to Bureau, 9/6/73.
NK airtel to TP, 9/14/73.
NK airtel to TP, 10/19/73.

- P -

ADMINISTRATIVE:

It is noted that the investigative period of this report is extensive, however, FD 302s received from the Miami Division were not received in time for inclusion in referenced report.

LEADS:

Information copies of this report are being furnished Miami and Newark in view of their continuing interest in this matter.

ACCOMPLISHMENTS CLAIMED ☐ NONE

CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES	ACQUITTALS

CASE HAS BEEN:
PENDING OVER ONE YEAR ☐ YES ☐ NO
PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

APPROVED [redacted] SPECIAL AGENT IN CHARGE

DO NOT WRITE IN SPACES BELOW

45-11251-8 DEC 27

NOV 16 1973

EX-111

COPIES MADE:
1 - Bureau (45-11251)
1 - USA, Orlando (RM)
1 - U.S. Coast Guard Jacksonville (RM)
1 - Miami (45-1578)(Info)
1 - Newark (45-1183) (Info)
2 - Tampa (45-227)

Dissemination Record of Attached Report

Agency	ICC-DOJ, Secret Service, USCG
Request Recd.	
Date Fwd.	
How Fwd.	
By	

Notations: ICC-Coast Guard

b7C

NOV 21 1973

COVER PAGE

TP 45-227

TAMPA DIVISION

AT COCOA, FLORIDA

Will maintain contact with the Office of the U. S. Attorney in Orlando, Fla., in connection with [redacted] appearance before the Grand Jury on the 20th of November.

b3

COVER PAGE

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, Orlando (RM)
1 - U. S. Coast Guard, Jacksonville (RM)

Report of: SA [redacted] Office: TAMPA
Date: NOVEMBER 13, 1973

Field Office File #: 45-227 Bureau File #: 45-11251

Title: UNKNOWN SUBJECTS;
POSSIBLE DESTRUCTION OF MOTOR VESSEL "DEFIANCE" ON THE HIGH SEAS OFF CAPE CANAVERAL, FLORIDA
JUNE 23, 1973

Character: CRIME ON HIGH SEAS

Synopsis: U.S. Coast Guard, Intelligence, Miami, Fla., unable to identify source of information concerning the possible destruction of the "Defiance" for insurance purposes. [redacted] A decision regarding an underwater examination of the "Defiance" was postponed by AUSA, Orlando, and pending [redacted] testimony before the Federal Grand Jury tentatively scheduled for November 20, 1973, at Orlando, Florida.

- P -

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U. S. GOVERNMENT PRINTING OFFICE : 1970 O - 406-840

DETAILS:

AT MIAMI, FLORIDA

[redacted]

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45-11251-8 pages 3-13

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MM 45-1578
TP 45-227

[redacted]

b7C

The following investigation was conducted by

SA [redacted]

AT MIAMI, FLORIDA

On July 5, 1973, [redacted] U. S. Coast Guard Intelligence Office, advised that he made a thorough check of the records of that agency in an effort to find notes of Special Agent [redacted] concerning information received regarding possible destruction of the Motor Vessel "Defiance". However, no notes or other entries regarding the original source of the information were located.

[redacted], U. S. Coast Guard, Search and Rescue Division, Miami, advised that his office does have a file on the Motor Vessel "Defiance", which pertains to efforts made by the Coast Guard concerning the picking up of survivors of the vessel after it was reportedly sunk off the coast of Cape Kennedy. [redacted] said he has no information in his file concerning prior notes that the vessel might be destroyed for the purpose of collecting insurance, and he has no personal knowledge of any notes or other information having been given to him by a Special Agent [redacted] of the Coast Guard Intelligence Unit.

On August 21, 1973, Special Agent [redacted], U. S. Coast Guard Intelligence Unit, Miami, was contacted, and he advised he has been unable to locate the notes concerning information he received regarding possible destruction of the Motor Vessel "Defiance", but indicated he would make a thorough search of his personal papers in an effort to locate the notes so he could identify the source that gave the information to him.

On July 17, 1973, Deputy U. S. Marshal [redacted] advised that the Motor Vessel "Defiance" had been in dock at the Bahia Mar Marina in Ft. Lauderdale, Florida, sometime prior to June 12, 1973, and had left without paying the full bill at the marina. Based on this attorney RONALD A. FITZGERALD, American National Bank Building, Federal Highway, Ft. Lauderdale, Florida, filed a writ of attachment for the vessel in U. S. District Court at Miami, Florida, under number 73-982-CIV-CF.

MM 45-1578
TP 45-227
[redacted]

b7

Pursuant to the filing of this suit, Special Deputy Marshal [redacted] made an "arrest of the vessel DEFIANCE" on June 12, 1973, at 10 AM. Pursuant to his instructions regarding such arrest of a vessel he "plastered" the vessel where it was docked at the West Palm Beach Marina, 400 North Flagler Drive, West Palm Beach, Florida, by placing a sticker prominently on the vessel, indicating that the vessel was not to be moved without prior authority of the U. S. District Court.

[redacted] advised that notwithstanding this sticker the vessel was moved on June 21, 1973, without authority. He said that [redacted], had been designated as custodian, and he indicated that a man by the name of [redacted] had told him the writ of attachment had been removed when, in fact, it had not.

Based on these facts, Deputy U. S. Marshal [redacted] advised that U. S. District Judge CHARLES FULTON is taking under advisement whether or not to issue a contempt warrant for [redacted] and/or others involved.

TP 45-227

AT ORLANDO, FLORIDA

On August 31, 1973, Assistant U.S. Attorney (AUSA) HARRISON SLAUGHTER, Middle District of Florida (MDF), Orlando, Florida, advised that he had reviewed the matter and he wanted COHN re-interviewed to determine if COHN is going to furnish a copy of the sales contract when the "Defiance" was sold to "Pied Piper Yacht Charters, Inc." (PPYCI) Chicago, Illinois, and a corporate charter of PPYCI.

b5

Additionally, he wanted COHN to furnish a copy of the total assets of PPYCI. He also advised that in his opinion an underwater examination of the "Defiance" might be warrated and he would confer with U. S. Attorney JOHN BRIGGS regarding the costs, etc.

b7
C-D

AT ATLANTIC HIGHLANDS, NEW JERSEY

[redacted]

AT ORLANDO, FLORIDA

[redacted]

On September 27, 1973, the services of the Cape Canaveral Service Company (CCSC), Port Canaveral, Florida, were secured free of cost. The U. S. Air Force gave permission to use the LCU, the divers and the detection equipment which the CCSC normally has at its disposal. [redacted] of Cape Canaveral Air Force Base in Florida gave permission for the CCSC to use all of the above at no cost to the Government. Normally CCSC is under contract through the U. S. Air Force and is the underwater rescue team for the U. S. Air Force, Eastern Test Range.

[redacted]

On October 1, 1973, a critique was held at the U. S. Coast Guard Station, Port Canaveral, Florida. In attendance were the crew members aboard the Coast Guard cutter which was in the area at the time the "Defiance" caught fire. Also available at the time were [redacted] wind and sea conditions at the time of the sinking were determined and the position of the "Defiance" at the time it sank was determined to be 28-25 North, 80-23.5 West. This position would indicate that the ship sank approximately in 72 feet of water, approximately 12 miles off the coast of Port Canaveral, Florida. Agent [redacted] advised that the visibility in this area is near zero in view of the sand bottom and additionally, a number of predators prowled this particular area. Additionally, he pointed out that the ship could have bounced on the bottom after it sank or it could be sanded in, in view of the sandy bottom in the area. He pointed out, however, that only a survey dive could determine whether or not an underwater examination was practical.

4-750 (Rev. 4-17-85)

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FBI/DOJ

TP 45-227

b7C

On October 2, 1973, [redacted] of the U. S. Coast Guard Cutter Point Charles, Port Canaveral, Florida, advised he was aboard the "Defiance" just before it sank at 6:44 a.m. June 23, 1973. The boat was full of debris and the ship was completely gutted. He was able to look down into the engine room but the area was full of debris and oil and he was unable to observe a body or the engines in the engine room. He observed that it was possible for a diver to walk from one end of the vessel to the other end without ever going through a hatch. The fire was extremely intense and he did not believe anything could be left of the body. He too marked the position of the sinking at 28-25 North, 80-23.5 West.

b7
C-D

[redacted]

On October 4, 1973, AUSA HARRISON SLAUGHTER, MDF, Orlando, Florida, was again recontacted regarding the feasibility of conducting an underwater examination of the "Defiance". AUSA SLAUGHTER advised that before making any final decision, he thought it would be appropriate to have [redacted] recontacted regarding any additional information he had to offer.

[redacted]

TP 45-227

b5 [redacted]

AT NEWARK, NEW JERSEY

b7C [redacted]
D

AT ORLANDO, FLORIDA

b3 On October 26, 1973, AUSA HARRISON SLAUGHTER MDF, Orlando, Florida, was recontacted and he advised that he intended to have [redacted] subpoenaed to appear for the next Federal Grand Jury convening in Orlando, Florida, on November 20, 1973.

FD-263 (Rev. 1-7-72)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
TAMPA	TAMPA	1/10/74	9/10/73 - 1/9/74

TITLE OF CASE

UNSUBS;
POSSIBLE DESTRUCTION OF MOTOR VESSEL "DEFIANCE" ON HIGH SEAS OFF CAPE CANAVERAL, FLA., 6/23/73

REPORT MADE BY

SA [redacted]

TYPED BY [redacted]

CHARACTER OF CASE

CRIME ON HIGH SEAS

b7c

REFERENCE: TP rep of SA [redacted] 11/13/73.

-P-

ADMINISTRATIVE

It is noted that the investigative period of this report is extensive; however, FD-302s received from the Miami Division were not received in time for inclusion in referenced report.

Information copy of this report is being furnished to New York in view of outstanding leads in that division.

ACCOMPLISHMENTS CLAIMED				X NONE	ACQUITTALS
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES	

CASE HAS BEEN:
PENDING OVER ONE YEAR ☐ YES ☒ NO
PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

APPROVED

SPECIAL AGENT IN CHARGE

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45-11251-9

REC-61

JAN 14 1974

EX-109

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1 - U.S. Coast Guard, Jacksonville (RM)
1 - New York (Info)
2 - Tampa (45-227)

Dissemination Record of Attached Report	
Agency	ICC - Coast Guard
Request Recd.	ICC Sup for T
Date Fwd.	1/22/74
How Fwd.	[redacted]
By	[redacted] b7c

Notations

[redacted] b7c

55 JAN 22 1974

Gen. Crimes 1/22/74

COVER PAGE

TP 45-227

LEAD

TAMPA

AT COCOA, FLA.

Will maintain contact with Office of USA, Orlando, Fla.

B*
COVER PAGE

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, ORLANDO (RM)
1 - US COAST GUARD, JACKSONVILLE (RM)

b7C

Report of: SA [redacted] Office: TAMPA
Date: 1/10/74

Field Office File #: 45-227 Bureau File #: 45-11251

Title: UNKNOWN SUBJECTS;
POSSIBLE DESTRUCTION OF MOTOR VESSEL "DEFIANCE"
ON HIGH SEAS OFF CAPE CANAVERAL, FLORIDA
JUNE 23, 1973

Character: CRIME ON HIGH SEAS

b7C-D
b3

Synopsis: [redacted] AUSA, Orlando, Fla., advised he expects to subpoena [redacted] for an appearance before the next convening FGJ tentatively scheduled 1/24/74.

-P-

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TP 45-227

On November 20, 1973, Assistant U. S. Attorney HARRISON T. SLAUGHTER, Middle District of Florida, Orlando, Florida, was contacted and he advised that [redacted]

On December 4, 1973, contact was again made with the Office of the U. S. Attorney, Orlando, and it was determined at that time that MR. SLAUGHTER was making an appearance in the Appellate Court, New Orleans, and would not return until December 7, 1973.

On December 7, 1973, MR. SLAUGHTER was contacted and he advised [redacted]

FD-263 (Rev. 1-7-72)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
TAMPA	TAMPA	2/15/74	1/16 - 2/7/74

TITLE OF CASE

UNSUB;
POSSIBLE DESTRUCTION OF
MOTOR VESSEL "DEFIANCE"
ON HIGH SEAS OFF
CAPE CANAVERAL, FLA.
6/23/73

REPORT MADE BY: SA [redacted] TYPE

CHARACTER OF CASE

CRIME ON THE HIGH SEAS

bzc

REFERENCE: TP rep of SA [redacted] 1/10/74.

-P-

LEAD

TAMPA

AT COCOA, FLA.

Will maintain contact with USA's Office.

ACCOMPLISHMENTS CLAIMED				NONE		
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES	ACQUIT-TALS	CASE HAS BEEN:
						PENDING OVER ONE YEAR ☐ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

APPROVED: SPECIAL AGENT IN CHARGE

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Attorney LARRY MC WAHERTER
(Enc 5)
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1 - US Coast Guard, JK (RM)
2 - Tampa (45-227)

ENCLOSURE

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45-11251-14 REC-28

FEB 22 1974

Dissemination Record of Attached Report		Notations
Agency	ICC - DOJ Plus Encl.	
Request Recd.	2/26/74	
Date Fwd.	ICC Liaison	
How Fwd.		
By	[redacted]	

bzc

COVER PAGE

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - US JUSTICE DEPARTMENT ATTORNEY LARRY HS WAHEMTER (ENC 5)
1 - USA, ORLANDO (RM)
1 - US COAST GUARD, JACKSONVILLE (RM)

Report of: SA [redacted] **Office:** TAMPA

Date: 2/15/74

Field Office File #: 45-227 **Bureau File #:** 45-11251

Title: UNKNOWN SUBJECT;
POSSIBLE DESTRUCTION OF MOTOR VESSEL "DEFIANCE"
ON HIGH SEAS OFF CAPE CANAVERAL, FLORIDA
JUNE 23, 1973

Character: CRIME ON THE HIGH SEAS

Synopsis: ROY COHN reinterviewed and advised he does not now and has never owned any legal Title, Rights or Beneficial Interest in the motor vessel "Defiance". He does not control and is not a member of the Board of Directors of Pied Piper Yacht Charters, Inc. [redacted]

b7C

b7C
P

[redacted]

-P-

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U. S. GOVERNMENT PRINTING OFFICE : 1969 O - 351-076

TP 65-227

ENCLOSURES FOR U. S. JUSTICE DEPARTMENT ATTORNEY LARRY HC WAHERTER

Copy of agreement made on May 17, 1971, between Pied Piper Yacht Charters, Incorporated, and Pevitto Enterprises

Charter agreement containing a lease made on May 21, 1971, between the law firm of Saxe, Bacon and Bolan and Pied Piper Yacht Charters, Inc.

Certificate of Incorporation of Pied Piper Yacht Charters, Inc., dated July 9, 1970

Certificate of Incorporation of Pied Piper Yacht Charters, Inc.

Copy of 1970 Annual Report filed by Pied Piper Yacht Charters, Inc.

DETAILS:

TP 45-227

ENCLOSURE FOR U. S. JUSTICE DEPARTMENT ATTORNEY LARRY HC WAHERTER

Copy of agreement made on May 17, 1971, between Pied Piper Yacht Charters, Incorporated, and Pevitto Enterprises

Charter agreement containing a lease made on May 21, 1971, between the law firm of Saxe, Bacon and Bolan and Pied Piper Yacht Charters, Inc.

Certificate of Incorporation of Pied Piper Yacht Charters, Inc., dated July 9, 1970

Certificate of Incorporation of Pied Piper Yacht Charters, Inc.

Copy of 1970 Annual Report filed by Pied Piper Yacht Charters, Inc.

DETAILS:

FEDERAL BUREAU OF INVES..GATION

Date of transcription 1/21/74

b7c

ROY M. COHN, Attorney, was interviewed at 30 East 68th Street, New York, New York, and at the outset of the interview was advised of his rights by Special Agent (SA) [redacted] An "Advice of Rights" form was furnished to Mr. COHN who signed the form and stated he understood its contents.

COHN advised that he does not now nor has ever owned any legal Title, Rights, or Beneficial Interest in the motor vessel "Defiance". He stated he does not control nor is he a member of the Board of Directors of the "Pied Piper Yacht Charter Incorporated" (PPYCI). He stated he would make available a copy of the Lease document made between PPYCI and his law firm together with the Sales contract when the "Defiance" was purchased by PPYCI

He stated that a copy of the Corporate Charter, PPYCI, is available at the office of the Secretary of State, DOVER, DELAWARE. He stated that he did not know the total assets of PPYCI and this could best be obtained at its offices in Chicago, Illinois.

Interviewed on 1/16/73 at New York, New York File # NY 65-8934

by [redacted] 3 Date dictated 1/21/74

b7c

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FEDERAL BUREAU OF INVE.. TION

1a

Date of transcription 1/21/74

ROY M. COHN made available a copy of an agreement made on May 17, 1971, between the Pied Piper Yacht Charters, Incorpor: (PPYCI) and Povitto Enterprises Incorporated; a Charter Agreement containing a lease made on May 21, 1971 between the law firm of Saxe Bacon and Bolan and PPYCI and a certificate of Incorporatio: of PPYCI dated July 9, 1970.

Interviewed on 1/17/74 at New York, New York File # NY 45-[illegible]

by [redacted] 4 Date dictated [illegible]

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4-750 (Rev. 4-17-85)

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FEDERAL BUREAU OF INVESTIGATION
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XXXXXX

FBI/DOJ

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 1/28/74

b7C

[redacted] Office of the Secretary of State, Division of Corporations of the State of Delaware, Dover, Delaware, advised from records that Pied Piper Yacht Charters, Corporation, incorporated in the State of Delaware on July 9, 1970, and on January 23, 1974, was declared a "void" corporation by signature of the Governor of the State of Delaware for failure to pay the State Franchise Tax and to file the required Annual Report.

[redacted] made available a plain copy of the Certificate of Incorporation of Pied Piper Yacht Charters, Corporation, and a plain copy of the 1970 Annual Report filed by Pied Piper Yacht Charters, Corporation, on August 24, 1971.

[redacted] advised that the above documents are the only documents in file pertaining to Pied Piper Yacht Charters, Corporation.

Interviewed on 1/25/74 at Dover, Delaware File # BA 45-1190

b7C SA [redacted] 8 Date dictated 1/25/74

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45-11251-14 page 9, 10, 11

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TP 45-227

By communication dated February 5, 1974, the Miami Division advised that Special Agent [redacted], U. S. Coast Guard Intelligence, advised his information regarding [redacted] was based on conversations of [redacted] which were overheard by [redacted] while [redacted] was being interviewed at Orlando, Florida.

[redacted] was reinterviewed and stated [redacted]

Contact with the U. S. Coast Guard at Miami revealed no record of authorization for anyone to operate as a captain in the port under the name of [redacted] however, it was learned if valid papers had been issued in some other port that they would be acceptable in Miami.

On February 7, 1974, Departmental Attorney LARRY MC WAHERTER advised that a Federal Grand Jury convening at Orlando, Florida, on February 7, 1974, heard testimony regarding the destruction of the motor vessel "Defiance" and he anticipated that additional witnesses might be subpoenaed to appear before the Grand Jury at a later date.

FD-263 (Rev. 12-19-67)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
TAMPA	TAMPA	APR 16 1974	1/31/74 - 4/1/74

TITLE OF CASE

UNSUB;
POSSIBLE DESTRUCTION OF
MOTOR VESSEL "DEFIANCE"
ON HIGH SEAS OFF
CAPE CANAVERAL, FLA.
6/23/73

REPORT MADE BY: SA [redacted] TYPED

CHARACTER OF CASE

CRIME ON THE HIGH SEAS

b7C

REFERENCE: TP rep of SA [redacted] 2/15/74.

b7C

-P-

ADMINISTRATIVE

It is noted that the investigative period of this report precedes that of referenced report as FD-302s received from Miami and Newark were not received in time for inclusion in referenced report.

LEADS

CHICAGO

ACCOMPLISHMENTS CLAIMED					☒ NONE	ACQUITTALS	CASE HAS BEEN:
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☐ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

APPROVED _____ SPECIAL AGENT IN CHARGE _____

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45 - 11251 - 19

REC-67

3 APR 24 1974 ST-104

ENCLOSURE

2 - Tampa (45-227)

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Dissemination Record of Attached Report		Notations
Agency	ICC - DOJ (Crim. Div) Fla. Crimes	[redacted] b7C
Request Recd.	ICC Ltr + Copies Rpt for I	
Date Fwd.	4/23/74	
How Fwd.	Butler Mes	
By	[redacted] Dept DOJ 4/23	

b7C

55 MAY 7 1974

COVER PAGE

TP 45-227

COPIES CONTINUED FROM COVER PAGE A

1 - US Justice Department Attorney
LAURENCE S. MC WHORTER (Enc 4)
1 - USA, Orlando (RM)
1 - US Coast Guard, JK (RM)
2 - Chicago (45-298)
2 - Los Angeles
1 - Miami (Info)(45-1578)
1 - New Haven (Info)(45-114)
1 - New York (Info)(45-8094)
1 - Newark (Info)(45-1183)

TP 45-227

AT CHICAGO, ILL.

When recontacting [redacted]

LOS ANGELES

AT NEWPORT BEACH, CALIF.

Will make additional inquiries in effort to locate [redacted] It is pointed out that previous inquiries were made re [redacted]

TAMPA

AT COCOA, FLA.

Will maintain contact with USA's Office.

C*
COVER PAGE

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

1-US JUSTICE DEPARTMENT ATTORNEY LAURENCE S. MC WHORTE (ENC 4)

Copy to: 1-USA, ORLANDO (RM)
1-US COAST GUARD, JACKSONVILLE (RM)

Report of: SA [redacted] **Office:** TAMPA
Date: 4/16/74

Field Office File #: 45-227 **Bureau File #:** 45-11251

Title: UNKNOWN SUBJECT;
POSSIBLE DESTRUCTION OF MOTOR VESSEL "DEFIANCE"
ON HIGH SEAS OFF CAPE CANAVERAL, FLORIDA
JUNE 23, 1973

Character: CRIME ON THE HIGH SEAS

Synopsis: Investigation continuing in an effort to locate and interview [redacted]

-P-

ENCLOSURES

FOR THE U.S. JUSTICE DEPARTMENT ATTORNEY LAURENCE S. MC WHORTER

[redacted]

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U. S. GOVERNMENT PRINTING OFFICE

TP 45-227

DETAILS:

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b7C
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On February 8, 1974, Departmental Attorney LAURENCE S. MC WHORTER advised at Orlando, Florida, that he desired investigation conducted in an effort to secure the identity of JOHN (LAST NAME UNKNOWN) [redacted] Additionally, if possible, he wanted officials at [redacted] contacted in an effort to determine if [redacted] be contacted regarding the telephone call he overheard between [redacted] and the alleged owner of the "Defiance". Additionally, he wanted the following [redacted] interviewed:

b7
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1

[redacted]

Also, he desired background information concerning [redacted]

AT MIAMI, FLORIDA

4-750 (Rev. 4-17-85)

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XXXXXX
XXXXXX

FBI/DOJ

AT NEW YORK

[redacted]

AT COCOA, FLORIDA

[redacted]

By communication dated March 27, 1974, the New Haven Office, FBI, advised that investigation indicated [redacted] was last known to be residing at [redacted]

AT LOS ANGELES

By communication dated April 1, 1974, the Los Angeles Office, FBI, advised that investigation conducted in the vicinity of [redacted] ascertained that [redacted] was unknown at that address.

[redacted] advised that he managed the property for the last three years and [redacted] was unknown to him.

b7
C&d

[redacted]

[redacted]

FD-163 (Rev. 12-19-67)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
TAMPA	TAMPA	JUL 5 1974	5/1 - 6/11/74

TITLE OF CASE

UNSUB;
POSSIBLE DESTRUCTION OF
MOTOR VESSEL "DEFIANCE"
ON HIGH SEAS OFF
CAPE CANAVERAL, FLA.
6/23/73

REPORT MADE BY [redacted] **TYPED**

SA [redacted]

CHARACTER OF CASE

CRIME ON THE HIGH SEAS

b7C

REFERENCE: TP rep of SA [redacted] 4/16/74.

-P-

LEADS

LOS ANGELES

AT NEWPORT BEACH, CALIF.

Will determine the identity of the resident of [redacted] and determine if the resident has any knowledge of a [redacted] Will also [redacted] in order to locate [redacted]

b7C

ACCOMPLISHMENTS CLAIMED							
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	☒ NONE RECOVERIES	ACQUIT-TALS	CASE HAS BEEN:
							PENDING OVER ONE YEAR ☐ YES ☒ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

APPROVED SPECIAL AGENT IN CHARGE

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2 - Tampa (45-227)

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45-11251-25 REC-12

14 JUL 18 1974

EX-111

Dissemination Record of Attached Report			
Agency	Ltr to Dept Attn Laurence S. Mc Wharter		
Request Recd.			
Date Fwd.		3/11/74	
How Fwd.			
By		[redacted]	

Notations

[redacted]

b7C

FBI JUL 1 [illegible]

COVER PAGE

TP 45-227

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LAURENCE S. MC WHORTER (Enc 7)
1 - USA, Orlando (RM)
1 - US Coast Guard, JK (RM)
2 - Los Angeles
2 - Miami (45-1578)
2 - New York (45-8094)
2 - Newark (45-1183)

* *

If located, will immediately advise Tampa so that arrangements can be made to subpoena him as soon as possible.

MIAMI

AT MIAMI, FLA.

Will check records of US Coast Guard, MM, re info as to location of [redacted]

Will also secure a copy of a tape recording allegedly taken by the US Coast Guard, MM, concerning info furnished by [redacted] allegedly told Departmental Attorney MC WHORTER that the US Coast Guard, MM, is in possession of such a tape, and MC WHORTER has expressed interest in hearing same.

NEWARK

AT TRENTON, N.J.

Will, at the Secretary of State's Office, review records for any info identifiable with ANDREW DAVIS Associates, Keith Bell Associates or Pied Piper Yacht Charters Corporation.

TP 45-227

NEW YORK

AT NEW YORK, N.Y.

Will attempt to locate and interview [redacted]. Will also attempt to locate and interview [redacted] through contact with US Coast Guard Intelligence, New York, as [redacted] If located, will immediately contact the FBI Tampa so that a subpoena can be served requesting his appearance before an FGJ, Orlando, Fla.

b7
C.d

TAMPA

AT COCOA, FLA.

Will maintain contact with USA's Office, Orlando.

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1-US JUSTICE DEPARTMENT ATTORNEY
LAURENCE S. MC WHORTER (ENC 7)
1-USA,ORLANDO (RM)
1-US COAST GUARD, JACKSONVILLE (RM)

Report of: SA [redacted] Office: TAMPA
Date: JUL 5 1974

Field Office File #: 45-227 Bureau File #: 45-11251

Title: UNKNOWN SUBJECT;
POSSIBLE DESTRUCTION OF MOTOR VESSEL "DEFIANCE"
ON HIGH SEAS OFF CAPE CANAVERAL, FLORIDA
JUNE 23, 1973

Character: CRIME ON THE HIGH SEAS

Synopsis: Efforts to locate the "Defiance" off the coast of Cape Canaveral, Fla., were unsuccessful. Records concerning Donnelly Brothers, Brokerage Surplus Corporation, Walsh and Walsh, Inc., Pied Piper Yacht Charters Corporation, Industrial Gears, Incorporated, made available. US Coast Guard report concerning "Wavemaker III" secured.

-P-

ENCLOSURES

FOR THE U.S. JUSTICE DEPARTMENT ATTORNEY LAURENCE S. MC WHORTER

1. Certified copy of Application for Authority of Donnelly Brothers

2. Certificate of Amendment of Certificate of Incorporation of Pevitto Enterprises, Inc.,

3. Certified copy of Certificate of Incorporation of Industrial Gears, Incorporated

4. Certified copy of Certificate of Incorporation of Brokerage Surplus Corporation

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5. Certificate of Incorporation of Walsh and Walsh, Incorporated,

6. Application for Authority of Pied Piper Yacht Charters Corporation

7. Incident Report and Report of Vessel Casualty or Accident concerning the yacht "Wavemaker III", October 16, 1967

DETAILS:

AT TRENTON, NEW JERSEY

On May 1, 1974, records of the Secretary of State, Corporate Record Information, State House, Trenton, New Jersey , were reviewed for incorporating information, names and addresses of the officers and directors of the Brokerage Surplus Corporation, 141 South Harrison Street, East Orange, New Jersey, and Donnelly Brothers, 23 Lackawanna Place, Milburn, New Jersey. Annual reports for the years 1968 - 1973 disclosed the following:

Name of Company	Brokerage Surplus Corporation
Original Incorporation Information	
Registered office	161 Park Avenue, Rutherford, New Jersey
Date Incorporated	March 8, 1966
File number	S75851
Agent	EUGENE P. MURPHY
Object of company	Insurance agency
Existence	Perpetual
1,000 Shares NPV	
Incorporators	
STANLEY G. BEDFORD	7 Adams Court, Nutley, New Jersey
RENEE BLUTMAN	214 Wainwright Street, Newark, New Jersey

ELINOR B. LUNDGREN — 711 Broad Street, Bloomfield, New Jersey

Agent and office change dated January 15, 1973, and file May 7, 1973, change the principal agent to ROSARIO PATANE, no address given, and the office location to 120 Halsted Street, East Orange, New Jersey.

Data regarding principal officers:

Annual Report, filed December 8, 1968

ROBERT T. NORTON,
141 North Ridge Street,
Portchester, New York,
President

JOHN V. CASSARA,
22 Eighth Avenue,
Brooklyn, New York,
Vice President

EUGENE P. MURPHY,
Smoke Rise, New Jersey,
Secretary

THOMAS D. JORDAN,
Smoke Rise, New Jersey,
Second Vice President

AMADEO JACOVINO,
312 Riverside Avenue,
Rutherford, New Jersey,
Treasurer

Annual Report, dated June 20, 1969

THOMAS D. JORDAN,
77 Park Avenue,
Apartment 9H,
New York, New York,
Chairman of the Board

JOHN V. CASSARA,
22 Eighth Avenue,
Brooklyn, New York,
President

EUGENE P. MURPHY,
115 11 Hilton Road,
Kinnelon, New Jersey,
Vice President

ROBERT T. NORTON,
141 North Ridge Street,
Portchester, New York,
Vice President

JAMES F. LUNNY,
161 Park Avenue,
Rutherford, New Jersey,
Vice President

AMADEO JACOVINO,
312 Riverside Avenue,
Rutherford, New Jersey,
Secretary-Treasurer

Annual Report,
dated March 16, 1971

JAMES F. LUNNY,
120 Halsted Street,
East Orange, New Jersey,
President

ROBERT . NORTON,
90 John Street,
New York, New York,
position not identified

THOMAS PEQUINOT,
90 John Street,
New York, New York,
position not identified

THOMAS D. JORDAN,
0-02 Fairlawn Avenue,
position not identified

EUGENE MURPHY,
0-02 Fairlawn Avenue,
Fairlawn, New Jersey,
position not identified

JOHN CASSARA,
90 John Street,
New York, New York,
position not identified

Annual Report,
filed December 2, 1971

JAMES F. LUNNY,
3 Bennard Place,
Pompton Plains, New Jersey,
President

ROSARIO PATANE,
705 Riverdale Boulevard,
Pompton Plains, New Jersey,
Secretary-Treasurer

JAMES F. LUNNY,
3 Bennard Place,
Pompton Plains, New Jersey

ROBERT T. NORTON,
141 North Ridge Street,
Portchester, New Jersey

THOMAS D. JORDAN,
707 Park Avenue,
New York, New York

ROSARIO PATANE,
705 Riverdale Boulevard,
Pompton Plains, New Jersey

AMADIO YACOVINO,
312 Riverside Avenue,
Rutherford, New Jersey

DANIEL R. J. ARNOLD,
231 Benedick Road,
Staten Island, New York

Agent Change

EUGENE P. MURPHY,
1180 Raymond Boulevard,
Newark, New Jersey

Annual Report,
dated October 9, 1973

ROSARIO PATANE,
no address

Agent

JAMES F. LUNNY,
141 South Harrison,
East Orange, New Jersey,
President

ROBERT T. NORTON,
127 John Street,
New York, New York,
Vice President

THOMAS PEQUINOT,
127 John Street,
New York, New York

THOMAS T. JORDAN,
0-02 Fairlawn Avenue,
Fairlawn, New Jersey

Annual Report,
dated January 15, 1973

ROSARIO PATANE,
Agent

JAMES F. LUNNY,
120 Halsted Street,
East Orange, New Jersey

TP 45-227

ROBERT T. NORTON,
127 John Street,
New York, New York

THOMAS E. JORDAN,
0-02 Fairlawn Avenue,
Fairlawn, New Jersey

JOHN CASSARA,
0-02 Fairlawn Avenue,
Fairlawn, New Jersey

THOMAS PEQUINOT,
127 John Street,
New York, New York

Name of Company	Donnelly Brothers
Original Incorporation Information	
Address	24 Commerce Street, Newark, New Jersey
Date of incorporation	January 5, 1961
File number	S15956
Agent	PATRICK J. GAHAN
Object	Perform functions of the management of a general agency for insurance companies and to manage the affairs of other insurance agencies

Incorporators

FRANK G. DONNELLY,
223 Sagamore Road,
Milburn, New Jersey

MARY L. CONNOR,
56 William Street,
East Orange, New Jersey

TP 45-227

PATRICK J. GAHAN,
226 Roosevelt Avenue,
Newark, New Jersey

Existence Perpetual

On January 6, 1966, an agent and office change was filed to change primary agent to FRANK G. DONNELLY and change office location to 24 Lackawanna Place, Milburn, New Jersey.

On May 5, 1966, an amendment to the Certificate of Incorporation was filed to "broaden the objects of incorporation and scope of operation to include the performing and carrying out of the functions of an insurance broker, a travel agent, and a securities dealer."

Annual Report,
dated July 19, 1968

FRANK G. DONNELLY,
223 Sagamore Road,
Milburn, New Jersey,
President

IMELDA J. DONNELLY,
223 Sagamore Road,
Milburn, New Jersey,
Vice President

JAMES P. DONNELLY,
48 Great Oak Drive,
Short Hills, New Jersey,
Secretary

Annual Report,
dated September 23, 1969

This report revealed the same information as on Annual Report dated July 19, 1968, except to change the address of JAMES P. DONNELLY to 34 Seminola Way, Short Hills, New Jersey.

Annual Report,
dated August 10, 1970

On this report is revealed the same information as appears on report dated September 23, 1969.

Annual Report for 1971 and 1972,
dated April 13, 1973

This report revealed identical information to Annual Report dated August 10, 1970, except for the following:

It shows as officers, C. DAVID MARTIN, 59 Marton Road, Livingston, New Jersey, and MARY L. CONNOR, 17 Riggs Place, South Orange, New Jersey, in addition to the officers named on the report dated August 10, 1970.

AT WASHINGTON, D.C.

[redacted] On May 1, 1974, Special Agent [redacted], Washington Field Office, U. S. Coast Guard Intelligence, Room 7413, Department of Transportation Building, 400 7th Street Northwest, Washington, D. C., made available the file of [redacted] which had been obtained from stored record files in Suitland, Maryland

[redacted] A review of this file disclosed that [redacted], born [redacted], at New York, New York, presently holds Merchant Mariners Document issued by the U. S. Coast Guard at New York, New York, on [redacted] number [redacted], as a Chief Engineer for motor vessels of 500 horsepower and as a Third Assistant Engineer for excursion vessels of 1800 horsepower. The address listed for [redacted] at time license was renewed on [redacted], was [redacted]

The file disclosed that [redacted] was first issued Chief Engineer's license for motor vessels of 500 horsepower on [redacted] by the U. S. Coast Guard, Philadelphia, number 146884. On [redacted] endorsement made to the above license by which [redacted] was also granted his Third

to travel with the current and sort of bounce along the bottom of the ocean. All the personnel on board had extensive experience in locating underwater objects and everyone thought a reasonable effort had been made to locate the "Defiance".

4-750 (Rev. 4-17-85)

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FEDERAL BUREAU OF INVESTIGATION
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FBI/DOJ

TP 45-227

AT ALBANY, NEW YORK

[redacted] On May 22, 1974, Special Clerk [redacted] contacted the New York Department of State concerning information regarding Walsh and Walsh, Incorporated, Pied Piper Yacht Charters Corporation, Industrial Gear, Incorporated, Brokerage Surplus Corporation, Donnelly Brothers and Pevitto Enterprises, Incorporated. No record was available concerning ANDREW DAVIS Associates or Keith Bell Associates.

b7C

4-750 (Rev. 4-17-85)

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FEDERAL BUREAU OF INVESTIGATION

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45-11251-25 page 14

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FBI/DOJ

TP 45-227

AT COCOA, FLORIDA

On June 11, 1974, Departmental Attorney LAURENCE S. MC WHORTER telephonically advised Special Agent [redacted] that additional efforts should be made to locate [redacted] and [redacted] last known to be residing at [redacted] Additionally, he pointed out that he had determined [redacted] as [redacted]

b5
b7C

[redacted]

FD-263 (Rev. 12-19-67)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
TAMPA	TAMPA	SEP 23 1974	3/5 - 8/27/74

TITLE OF CASE

UNSUB;
POSSIBLE DESTRUCTION OF MOTOR VESSEL "DEFIANCE" ON THE HIGH SEAS OFF CAPE CANAVERAL, FLA.
6/23/73

REPORT MADE BY: SA [redacted] TYPED [redacted]

CHARACTER OF CASE

CRIME ON THE HIGH SEAS

b7C

REFERENCE: TP rep of SA [redacted], 7/5/74.

139

-P-

ADMINISTRATIVE

It is noted that the investigative period of this report predates that of referenced report in order to include FD-302's from Miami not received in time for inclusion in referenced report.

For the information of the Boston Division, the "Defiance" was a 97 foot, all steel vessel which caught fire and sank 12 miles off the coast of Cape Canaveral, Fla.,

ACCOMPLISHMENTS CLAIMED ☒ NONE						ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☐ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

APPROVED: S/ [illegible] SPECIAL AGENT IN CHARGE

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4 - 11251 - 24 REC-60

ST-101

1077

4 SEP 27 1974

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ENCLOSURE

Dissemination Record of Attached Report				
Agency	ICC Miami (Courtesy)			
Request Recd.	ICC T			
Date Fwd.				
How Fwd.	9-30-74			
By	[redacted]			

Notation: [redacted]

b7C

SEP 27 1974

COVER PAGE

TP 45-227

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1-US Justice Department Attorney
ROGER CUBBAGE (Enc 1)
1 - USA, Orlando, Fla. (RM)
1 - US Coast Guard, Jacksonville, Fla. (RM)
2 - Boston
2 - Louisville (45-1168)
2 - Miami (45-1578)
1 - Newark (45-1183)(Info)
2 - New York (45-8094)

* *

during the early A. M. of 6/23/73. Crew members on board the vessel were Captain DAVID VOGEL, VINCENT JOHN MC CARTHY, GARY ALLAN TEDDER and CHARLES MARTENSEN who is believed to have perished when the vessel sank.

US Coast Guard, Miami, advised that they had previously received information that the "Defiance" was to be destroyed in order to collect insurance. [redacted] suspected that [redacted] The ship was leased by ROY COHN and his New York law firm. A new insurance policy was taken out just prior to the sinking of the vessel off the coast of Cape Canaveral, Fla.

b7D

A FGJ in Orlando, Fla., has heard testimony re the incident and Departmental Attorney ROGER CUBBAGE is presently handling the inquiry and anticipates further testimony by [redacted] and [redacted] Departmental Attorney CUBBAGE advised in a telephone conversation of 8/27/74, that he preferred the FBI serve the subpoenaes in this matter.

b3

LEADS

UACB, the following investigation should be conducted per request of Departmental Attorney CUBBAGE:

TP 45-227

BOSTON

AT NEWPORT, RHODE ISLAND

b3 [redacted] Will insure the subpoena is served to [redacted] It is anticipated that one will be issued shortly by the USA's Office, Orlando, Fla., for a FGJ tentatively scheduled to convene in late September or early October of 1974.

LOS ANGELES

AT SANTA ANA , CALIF.

b3 Will, at the appropriate time, coordinate with the Marshal's Office and insure the subpoena is served re [redacted] Tampa will alert both Boston and Los Angeles when it is learned that the subpoenaes have been issued.

MIAMI

AT MIAMI, FLA.

b7C d [redacted] Will refer to the interview of [redacted] of 1/31/74, TP rep of 4/16/74.

AT RIVIERA BEACH, FLA.

b7C Will interview [redacted] to determine if he knows the whereabouts of a [redacted] (phonetic), [redacted] who worked on the "Defiance".

AT DELRAY BEACH, FLA.

b7C Will verify if [redacted] presently resides at [redacted] as there is a possibility he will be subpoenaed before the FGJ convening in Orlando in late September or early October, 1974.

C
COVER PAGE

TP 45-227

AT LAKE WORTH, FLA.

[redacted] Will also determine if any telephonic conversations were overheard between [redacted] and individuals in New York regarding the sinking of the "Defiance".

NEW YORK

AT ALBANY, N.Y.

Will secure copies of corporate documents regarding ANCOR Corporation of New York City, a corporation of which PAUL DANO is president.

TAMPA

AT COCOA, FLA.

Will maintain contact with USA's Office, Orlando.

D*
COVER PAGE

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

b7C

Copy to: 1-US JUSTICE DEPARTMENT ATTORNEY ROGER CUBBAGE (ENC 1)
1-US ATTORNEY, ORLANDO, FLA. (RM)
1-US COAST GUARD, JACKSONVILLE, FLA. (RM)

Report of: SA [redacted] **Office:** TAMPA

Date: SEP 23 1974

Field Office File #: 45-227 **Bureau File #:** 45-11251

Title: UNKNOWN SUBJECT;
POSSIBLE DESTRUCTION OF MOTOR VESSEL "DEFIANCE"
ON THE HIGH SEAS OFF CAPE CANAVERAL, FLORIDA
JUNE 23, 1973

Character: CRIME ON THE HIGH SEAS

Synopsis: [redacted] Investigation conducted at New York City determined COHN [redacted], born [redacted] of [redacted] interviewed and results set forth. Corporation records regarding ANDREW DAVIS Associates set out. [redacted] located at [redacted]

b7C

-P-

ENCLOSURES

FOR U.S. JUSTICE DEPARTMENT ATTORNEY ROGER CUBBAGE

Photostat of papers from the Florida Diesel and Marine Service pertaining to the vessel "Defiance".

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DETAILS:

MIAMI DIVISION

4-750 (Rev. 4-17-85)

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FBI/DOJ

b7C

Investigation at New York revealed [redacted] no longer resides at [redacted] New York City, New York. The records of the United States Post Office for the Borough of Manhattan, New York City, as reviewed by Special Agent [redacted] revealed the forwarding address was deposited on October 1, 1973, for [redacted] and [redacted]

AT SANTA ANA, CALIFORNIA

4-750 (Rev. 4-17-85)

XXXXXX
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X NO DUPLICATION FEE X
X FOR THIS PAGE X
XXXXXXXXXXXXXXXXXXX

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FBI/DOJ

NK 45-1183
TP 45-~~11251~~ 227

[redacted] b7C

On July 12, 1974, Special Clerk [redacted] contacted the New Jersey Secretary of State, Corporate Record Information, State House, Trenton, N.J., concerning information regarding Andrew Davis Associates, Keith Bell Associates, and Pied Piper Yacht Charters Corporation. The following was obtained regarding Andrew Davis Associates:

Company	Andrew Davis Associates
Registered Office	Suite 2100 60 Park Place Newark, N.J.
Date Incorporated	May 7, 1970
File Number	S130060
Agent	HERMAN W. KAPP
Object	General - to purchase, lease, or otherwise acquire, own, hold, improve, use and otherwise deal in and with, real or personal property, or any interest therein, wherever situated 100 shares, no par value
Existence	Perpetual
Directors	DAVID GUTTERLAITE c/o Potamkin Chevrolet Company 1015 Broad Street, Newark, N.J. ANDREW GUTTERLAITE c/o Potamkin Chevrolet 1015 Broad Street, Newark, N.J.
Incorporators	DIANE PETRUCCI 60 Park Place Newark, N.J. HERMAN W. KAPP 60 Park Place Newark, N.J. NATHAN E. FINKEL 60 Park Place Newark, N.J.

14

NK 45-1183
TP 45-11251

Officer and Agent Change dated July 9, 1973,
filed July 26, 1973
DAVID GUTTERLAITE
525 North Broad Street
Elizabeth, N.J.
Signed DAVID GUTTERLAITE, President
Annual Report Dated May 10, 1973, filed
May 14, 1973
Main Business Address 525 North Broad Street,
Elizabeth, N.J.
Directors

DAVID GUTTERLAITE
539 North Broad Street
Elizabeth, N.J.
President

ANDREW GUTTERLAITE
539 North Broad Street
Elizabeth, N.J.
Vice President - Treasurer

BILLIE GUTTERLAITE
539 North Broad Street
Elizabeth, N.J.
Secretary

Agent shown as HERMAN W. KAPP, Suite 2100, 60 Park
Place, Newark, N.J.
Next Annual Meeting of Stockholders, April 15, 1974
Signed DAVID GUTTERLAITE

No record was located for Keith Bell Associates or Pied Piper Yacht Charters Corporation.

[redacted]

AT TAMPA, FLORIDA

Departmental Attorney LAURENCE S. MC WHORTER advised telephonically on August 20, 1974, that the interview of [redacted] should be held in abeyance. [redacted]

On August 27, 1974, Departmental Attorney, ROGER CUBBAGE telephonically contacted the Cocoa, Florida, Resident Agency and advised that he would like the following investigation be conducted by the FBI.

He would like to verify the fact that [redacted]

Additionally, he would like contact be made with the Brokerage Surplus Corporation of Miami to [redacted]

He would like to have copies of corporate records secured regarding ANCOR Corporation, allegedly owned by the president, PAUL DANO.

[redacted]

He would like to have [redacted] of [redacted] interviewed to determine if he knows the location of [redacted] (phonetic), [redacted] who allegedly worked on the "Defiance" prior to its sinking.

Additionally, CUBBAGE advised that he was hoping to have a Federal Grand Jury in Orlando convene sometime in late September and hear testimony concering this matter. [redacted]

FD-263 (Rev. 1-7-72)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
TAMPA	TAMPA	1/30/75	10/15/74 - 1/27/75

TITLE OF CASE

UNSUB;
POSSIBLE DESTRUCTION OF MOTOR VESSEL "DEFIANCE" ON THE HIGH SEAS OFF CAPE CANAVERAL, FLA.
6/23/73

REPORT MADE BY

SA [redacted]

CHARACTER OF CASE

CRIME ON THE HIGH SEAS

b7C

REFERENCE: TP Rep of SA [redacted] 9/23/74.

-P-

LEAD

TAMPA

AT COCOA, FLA.

Will maintain contact with USA's Office, Orlando.

ACCOMPLISHMENTS CLAIMED				☒ NONE	ACQUITTALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☒ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

APPROVED

SPECIAL AGENT IN CHARGE

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1-US Justice Dept. Attorney ROGER CUBBAGE (RM)
1-USA, Orlando (RM)
1-USCG, JK (RM)
1-Tampa (45-317)

45-11251-27

REC

13 FEB 3 1975

EXTRA

ENCLOSURE ATTACHED

Dissemination Record of Attached Report				
Agency	ICC Tampa			
Request Recd.	ICC AAG (ED)			
Date Fwd.	2/4/75			
How Fwd.				
By	[redacted]			

Notations

[redacted]

DAT [redacted]

b7C

b7C

53 FEB 10 1975

A*
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FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1-US JUSTICE DEPARTMENT ATTORNEY ROGER CUBBAGE (ENC 1)
1-US ATTORNEY, ORLANDO, FLA. (RM)
1-US COAST GUARD, JACKSONVILLE, FLA. (RM)

b7C

Report of: SA [redacted] Office: TAMPA
Date: 1/30/75

Field Office File #: 45-227 Bureau File #: 45-11251

Title: UNKNOWN SUBJECT;
POSSIBLE DESTRUCTION OF MOTOR VESSEL "DEFIANCE"
ON THE HIGH SEAS OFF CAPE CANAVERAL, FLORIDA
JUNE 23, 1973

Character: CRIME ON THE HIGH SEAS

Synopsis: Certified copy of Application for Authority of Ancor, Incorporated, obtained. [redacted], interviewed as well as [redacted] regarding the sinking of the "Defiance". [redacted] was reinterviewed. [redacted] interviewed regarding [redacted]

b7C

d

A Federal Grand Jury, Orlando, Fla., was scheduled to hear testimony regarding the sinking of the "Defiance" in 12/74; however, the matter was postponed.

-P-

ENCLOSURE

FOR THE U.S. JUSTICE DEPARTMENT ATTORNEY, ROGER CUBBAGE

Certified copy of Application for Authority of Ancor, Incorporated.

DETAILS:

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U. S. GOVERNMENT PRINTING OFFICE : 1970 O - 406-840

4-750 (Rev. 4-17-85)

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FEDERAL BUREAU OF INVESTIGATION

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XXXXXX
XXXXXX

FBI/DOJ

[redacted]

b7
C
d

On November 19, 1974, Assistant U.S. Attorney HARRISON T. SLAUGHTER, Middle District of Florida, Orlando, Florida, advised he was in recent contact with Departmental Attorney ROGER CUBBAGE regarding the sinking of the "Defiance" and CUBBAGE desired the FBI to execute subpoenas for [redacted] and [redacted] A Federal Grand Jury was scheduled to convene December 5 and 6, 1974 and would be devoted exclusively to hearing testimony regarding this matter.

b5
b7C

On December 2, 1974, Mr. SLAUGHTER advised that the Federal Grand Jury previously scheduled for December 5 and 6, 1974 had been postponed and the subpoenas previously directed to [redacted] and [redacted] should be canceled.

On January 24 and 27, 1975, attempts were made to contact Mr. SLAUGHTER regarding this matter; however, he was unavailable.

State of New York
Department of State } ss.:

23661

I hereby certify that I have compared the annexed copy with the original document filed by the Department of St
and that the same is a correct transcript of said original.

Witness my hand and seal of the Department of State on OCT 16 1974

Acting Secretary of State

State of Delaware

Office of Secretary of State

I, Elisha C. Dukes, *Secretary of State of the State of Delaware,* do hereby certify that the Certificate of Incorporation of the "ANCOR, INC.", was received and filed in this office the third day of August, A.D. 1967, at 9 o'clock A.M.;

And I do hereby further certify that the aforesaid Corporation is duly incorporated under the laws of the State of Delaware and is in good standing and has a legal corporate existence so far as the records of this office show and is duly authorized to transact business.

In Testimony Whereof, *I have hereunto set my hand* and official seal at Dover this third day of August in the year of our Lord one thousand nine hundred and sixty-seven.

Elisha C. Dukes

Secretary of State

Application for Authority

of

ANCOR, INC.

(Under Section 1304 of the Business Corporation Law)

FIRST: The name of the corporation is ANCOR, INC.

SECOND: The jurisdiction of incorporation of the corporation is Delaware.

The date of incorporation of the corporation is August 3, [illegible].

THIRD: The business which the corporation proposes to do in the State of New York, said business being a business which the corporation is authorized to do in the jurisdiction of its incorporation, is as follows:

To counsel and advise on economic and monetary matters; to participate by way of investment in financial, business and other commercial transactions whether in the United States or in the countries of the world; to engage in the negotiation and execution of financial, business, and other commercial transactions in the United States and throughout the world; to perform such other services as may be necessary in regard to such transactions.

FOURTH: The office of the corporation in the State of New York is to be located in the City of New York, in the County of New York.

FIFTH: The Secretary of State of the State of New York is designated as the agent of the corporation upon whom process against the corporation may be served. The post office address within the State of New York to which the Secretary of State of the State of New York shall mail a copy of any process against the corporation served upon said Secretary of State is One Rockefeller Plaza, New York City, New York 10020.

SIXTH: The Corporation has not, since its incorporation, engaged in activity in the State of New York.

James A. Reed, President

Signed on Friday, January 19, 1968

STATE OF NEW YORK)
) SS.:
COUNTY OF NEW YORK)

James A. Reed, being duly sworn, deposes and says that he is the person who signed the foregoing application for authority; that he signed the same in the capacity set opposite his signature thereon; that he has read the foregoing Application for Authority and knows the contents thereof; and that the statements contained therein are true to his own knowledge.

James A. Reed, President

Subscribed and sworn to
before me on January 19, 1968

JOSEPH A. COLE
Notary Public, State of New York
No. [illegible]
Qualified in [illegible] County

[redacted]

66569.1 – 3

APPLICATION FOR AUTHORITY

OF

ANCOR, INC.

(Under Section 1304 of the Business Corporation Law)

Name election
Forms of Assistance
W-2/13
1-1

STATE OF NEW YORK
DEPARTMENT OF STATE
FILED FEB 13 1968
TAX $ 10.00
BY

Gerald L. Anderson, Esq.
Room 2735
One Rockefeller Plaza
New York, New York

FD-263 (Rev. 1-7-72)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
TAMPA	TAMPA	5/27/75	2/14/75 - 5/22/75

TITLE OF CASE

UNSUB;
POSSIBLE DESTRUCTION OF MOTOR VESSEL "DEFIANCE" ON THE HIGH SEAS OFF CAPE CANAVERAL, FLA.
6/23/73

REPORT MADE BY: SA [redacted] TYPED B

CHARACTER OF CASE

b7C

CRIME ON THE HIGH SEAS

REFERENCES: Tampa report of SA [redacted] 1/30/75.
San Diego let to Tampa, 4/2/75.

-P-

LEADS

SAN DIEGO DIVISION

AT VISTA, CALIFORNIA

Will at [redacted] attempt to ascertain the current whereabouts of [redacted] and thereafter secure [redacted]

TAMPA DIVISION

ACCOMPLISHMENTS CLAIMED ☐ NONE					ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☐YES ☐NO PENDING PROSECUTION OVER SIX MONTHS ☐YES ☐NO

APPROVED [redacted] SPECIAL AGENT IN CHARGE

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1 - USA, Orlando
1 - US Coast Guard, JK
2 - San Diego (45-204)
2 - Tampa (45-227)

45-11251-33 REC-56

ST-105

[redacted] 1975

b7C

Dissemination Record of Attached Report

Notations

Agency	1-AAG, CD			
Request Recd.				
Date Fwd.	Gen. Reg. Sec.			
How Fwd.	On 6-2-75			
By	[redacted]			

JUN 12 1975

b7C

COVER PAGE

TP 45-227

AT COCOA, FLA.

Will maintain contact with USA's Office, Orlando.

B*
COVER PAGE

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - US JUSTICE DEPARTMENT ATTORNEY DON FROMSTEIN
1 - US ATTORNEY, ORLANDO, FLA.
1 - US COAST GUARD, JACKSONVILLE, FLA.

Reply to: SA [redacted] Office: TAMPA

Date: May 27, 1975

Field Office File #: 45-227 Bureau File #: 45-11251

Title: UNKNOWN SUBJECT;
POSSIBLE DESTRUCTION OF MOTOR VESSEL "DEFIANCE"
ON THE HIGH SEAS OFF CAPE CANAVERAL, FLORIDA
JUNE 23, 1973

Character: CRIME ON THE HIGH SEAS

Synopsis: Attempts to locate [redacted] have been unsuccessful.

-P-

DETAILS:

On February 14, 1975, Departmental Attorney DON FROMSTEIN telephonically contacted the Cocoa, Florida Resident Agency and advised that a [redacted] of the FBI Laboratory, was reviewing this matter [redacted]. FROMSTEIN requested that the FBI locate [redacted] and secure from him [redacted]

On March 24, 1975, a visual check was made of the entire length [redacted] area and mail boxes situated on this road were checked for names indicating the residence of [redacted] It was determined that no mail boxes were listed to the name of [redacted]

A check was made of the North San Diego County Telephone Directory for the name [redacted] with negative results.

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A check of the Haines Criss-Cross Directory for all residents on the [redacted] was made and it was determined that no [redacted] is listed on the [redacted]

[redacted]

A review of the Ft. Lauderdale area telephone directory for the year 1974-75, failed to reflect any listing for [redacted]

On May 22, 1975, [redacted] U.S.C.G., Intelligence Division, Jacksonville, Florida, telephonically advised that he had learned that the records at the U.S. Coast Guard Headquarters, Washington, D.C. revealed that [redacted] renewed his license in [redacted] at Miami, Fla. Additionally, he was issued a duplicate of his license on [redacted] at San Diego, California, and on both occasions his address was furnished at [redacted] His particular license grants him permission to move ships on the Atlantic Ocean between the Montauk, New York and Cape May, N.J. and additionally he is allowed to captain ships in the Gulf of Mexico between Ft. Myers and Ft. Pierce, Florida. A previous address furnished to the USCG was [redacted]

FD-263 (Rev. 1-7-72)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
TAMPA	TAMPA	7/8/75	6/24 - 7/22/75

TITLE OF CASE

UNSUB;
POSSIBLE DESTRUCTION OF MOTOR VESSEL "DEFIANCE" ON THE HIGH SEAS OFF CAPE CANAVERAL, FLORIDA
6/23/73

REPORT MADE BY [redacted] TYPED B

SA [redacted]

CHARACTER OF CASE

CRIME ON THE HIGH SEAS

REFERENCE: Tampa report of SA [redacted] dated 5/27/75.

- P -

LEADS:

HOUSTON DIVISION

AT FREEPORT, TEXAS

[redacted]

Will attempt to ascertain background information from [redacted] regarding [redacted] and [redacted] and determine if [redacted] can still be located at the [redacted]

b7d

ACCOMPLISHMENTS CLAIMED					NONE	ACQUITTALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES			PENDING OVER ONE YEAR ☐ YES ☐ NO
							PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

4-108

APPROVED [signature] SPECIAL AGENT IN CHARGE

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45-11251-36 REC-45

16 AUG 11 1975

1 - 2-Bureau (45-11251)
1 - US Justice Department
Attorney DON FROMSTEIN
1-USA, Orlando
1-US Coast Guard, Jacksonville
2-Houston (45-931)
2-Newark (45-1183)
2-Tampa (45-227)

[redacted] DOC

Notations

Dissemination Record of Attached Report

Agency				
Request Recd.				
Date Fwd.	7/11/75			
How Fwd.	[illegible]			
By				

COVER PAGE

TP 45-227

NEWARK DIVISION

AT ASBURY PARK, NEW JERSEY

Attempt to locate and interview [redacted]

Will secure information regarding his alleged contact with [redacted] in the Miami and Fort Lauderdale area. Will also question him concerning information he allegedly furnished to [redacted] Will also determine his association with ROY COHN and/or associates and perhaps any intercession that he might have made on behalf of [redacted]

In particular will determine if [redacted] has any information that [redacted] perhaps his testimony was influenced by ROY COHN and/or associates.

TAMPA DIVISION

AT COCOA, FLORIDA

Will maintain contact with U. S. Attorney's Office.

B*
COVER PAGE

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1-US JUSTICE DEPARTMENT ATTORNEY DON FROMSTEIN
1-US ATTORNEY, ORLANDO, FLA.
1-US COAST GUARD, JACKSONVILLE, FLORIDA

Report of: SA [redacted] Office: TAMPA
Date: 8/6/75

Field Office File #: 45-227 Bureau File #: 45-11251

Title: UNKNOWN SUBJECT;
POSSIBLE DESTRUCTION OF
MOTOR VESSEL "DEFIANCE"
ON THE HIGH SEAS OFF
CAPE CANAVERAL, FLORIDA
JUNE 23, 1973

Character: CRIME ON THE HIGH SEAS

Synopsis: [redacted]

- P -

DETAILS: [redacted]

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45-11251-36 pages 2, 3, 4

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FD-263 (Rev. 1-7-72)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
TAMPA	TAMPA	10/29/75	7/22 - 10/3/75

TITLE OF CASE

UNSUB;
POSSIBLE DESTRUCTION OF
MOTOR VESSEL "DEFIANCE" ON
THE HIGH SEAS OFF
CAPE CANAVERAL, FLA.
6/23/73

REPORT MADE BY SA [redacted] **TYPED BY** [redacted]

CHARACTER OF CASE

CRIME ON THE HIGH SEAS

b7C

REFERENCE: TP rep of SA [redacted] 8/6/75.

-P-

LEAD

TAMPA

AT ORLANDO, FLA.

Will maintain contact with USA's Office.

ACCOMPLISHMENTS CLAIMED				☒ NONE	ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☒ YES PENDING PROSECUTION OVER SIX MONTHS ☐ YES

APPROVED _____ SPECIAL AGENT IN CHARGE

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45-11251-39 REC-42

EX-110

NOV 5 1975

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1-US Justice Dept. Atty.
DON FROMSTEIN (Enc 1)(RM)
1-USA, Orlando (RM)
1-US Coast Guard, Jacksonville (RM)
2-Tampa (45-227)

ENCLOSURE

Dissemination Record of Attached Report

Agency	1- Dept Rend		
Request Recd.			
Date Fwd.	11/7/75		
How Fwd.			
By	[redacted]		

Notations [redacted]

b7C

b7C 66 DEC 14 1975

COVER PAGE

GPO : 1975 O - 566-119

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1-US Justice Department Attorney DON FROMSTEIN (Enc 1) (RM)
1-USA, Orlando (RM)
1-US Coast Guard, Jacksonville (RM)

Report of: SA [redacted] Office: TAMPA
Date: 10/29/75

Field Office File #: 45-227 Bureau File #: 45-11251

Title: UNKNOWN SUBJECT;
POSSIBLE DESTRUCTION OF MOTOR VESSEL "DEFIANCE"
ON THE HIGH SEAS OFF CAPE CANAVERAL, FLORIDA
JUNE 23, 1973

Character: CRIME ON THE HIGH SEAS

Synopsis: [redacted]

-P-

ENCLOSURE

FOR US JUSTICE DEPARTMENT ATTORNEY DON FROMSTEIN

[redacted]

DETAILS:

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U. S. GOVERNMENT PRINTING OFFICE : 1979 O - 606-640

4-750 (Rev. 4-17-85)

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45-11251 – 39 pages 2-7

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FBI/DOJ

[redacted]

On October 3, 1975, Assistant U. S. Attorney HARRISON T. SLAUGHTER, Middle District of Florida, Orlando, Florida, advised he has not been in receipt of any additional information from the Departmental Attorneys handling this matter.

FD-263 (Rev. 1-7-72)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
TAMPA	TAMPA	12/30/75	10/14 - 12/9/75

TITLE OF CASE

UNKNOWN SUBJECT;
POSSIBLE DESTRUCTION OF
MOTOR VESSEL "DEFIANCE" ON
THE HIGH SEAS OFF CAPE
CANAVERAL, FLORIDA,
JUNE 23, 1975

REPORT MADE BY: SA [redacted] TYPED BY: [redacted]

CHARACTER OF CASE

CRIME ON THE HIGH SEAS

b7C

REFERENCES

Tampa report of SA [redacted] 10/29/75.
Bureau airtel to Tampa, 10/22/75.
Tampa airtel to Chicago, 11/4/75.

P

ADMINISTRATIVE

It is noted the investigative period of this report predates that of referenced report in order to include investigation conducted at Miami which was not received in time by Tampa for inclusion in referenced report.

ACCOMPLISHMENTS CLAIMED ☐ NONE					ACQUITTALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☐ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

APPROVED: JM/gr — SPECIAL AGENT IN CHARGE

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45-11251-40 REC 67

EX 103

5 JAN 13 1976

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(4) - U. S. Department of Justice
Attorney Daniel E. Fromstein
1 - USA, Orlando
1 - U.S. Coast Guard, Jacksonville
1 - Miami (45-1573) (info)
1 - Newark (45-1183) (info)
1 - New York (45-8094) (info)
2 - Tampa (45-227)

Dissemination Record of Attached Report

Agency	1-AUSA (FROMSTEIN)			
Request Recd.	1-7			
Date Fwd.				
How Fwd.	1/12/76			
By	[redacted]			

Notations: [redacted] b7C

GPO : 1975 O - 566-119

F-1 COVER PAGE

L E A D S

Information copies of this report are being sent to Miami, New York and Newark in view of the fact that these offices are currently conducting investigation regarding this matter.

TAMPA:

At Cocoa, Florida

Will maintain contact with the United States Attorney's Office.

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, ORLANDO
1 - U. S. DEPT. OF JUSTICE ATTORNEY DANIEL E. FROMSTEIN
1 - U. S. COAST GUARD, JACKSONVILLE

Report of: SA [redacted] Office: TAMPA
Date: December 30, 1975

Field Office File #: 45-227 Bureau File #: 45-11251

Title: UNKNOWN SUBJECT;
POSSIBLE DESTRUCTION OF MOTOR VESSEL "DEFIANCE"
ON THE HIGH SEAS OFF CAPE CANAVERAL, FLORIDA
JUNE 23, 1973

Character: CRIME ON THE HIGH SEAS

Synopsis: [redacted] Navy Ships Command, Arlington, Virginia, advised that through the use of "Side Scan Sonar" it would be possible to obtain a "relatively good profile" of the "Defiance" and if it is located within fifteen miles of the shoreline, he would approximate the cost of searching for the "Defiance" to be a minimum of $3500 per day. [redacted] interviewed regarding the loss of the "Defiance." Attempts to interview [redacted] have been unsuccessful. [redacted] interviewed and results set forth. [redacted] interviewed U. S. Coast Guard, Miami, has conducted no additional investigation regarding the sinking of the "Defiance." Results of ROY COHN interview set forth. FBI Identification records for [redacted] set out.

P

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U. S. GOVERNMENT PRINTING OFFICE : 1970 O - 406-840

By letter dated October 14, 1975, RICHARD L. THORNBURGH, Assistant Attorney General of the Criminal Division, United States Department of Justice, requested the following investigation by the FBI:

"1. Obtain copies of all Court papers concerning the 'arrest' of the vessel 'Defiance' on June 12, 1973, at Fort Lauderdale, Florida. These 'writ of attachment' documents are obtainable at the Clerk of Courts Office, United States District Court, Miami, Florida, under case number 73-982-CIV-CF.

"2. Ascertain whether Captain Vogel, Gary Tedder, Vince McCarthy or Charles Martensen had a firearm on board the "defiance' on June 22, 1973. Ascertain whether any of the above individuals ever owned a firearm or registered a firearm under the National Firearm Act Register.

"3. Interview [redacted] Fort Lauderdale, Florida, regarding any contact he has had from any source regarding the yacht 'Defiance' since January, 1971. Specifically ask [redacted] if he was ever requested to conduct a survey of the 'Defiance' subsequent to the May 3, 1971, survey. Also please request [redacted] to provide copies of all correspondence he has relating to his May 3, 1971, survey of the 'Defiance,' and any documents in his possession concerning the yacht 'Defiance,' Roy Cohn, [redacted] and [redacted] since May, 1971.

b7C

"4. Contact the United States Coast Guard and ascertain if they have conducted any additional investigation involving the sinking of the yacht 'Defiance.' It is suggested that both the Washington, D.C., national office and the Miami, Florida, regional office be contacted.

"5. Conduct such interviews as may be necessary in order to determine why Roy Cohn and [redacted] allegedly insisted to [redacted] that, notwithstanding the existing condition of the vessel, the 'Defiance' was to leave the port of West Palm Beach, Florida, by 8:00 a.m., on June 21, 1973.

"6. Interview [redacted] New York City, [redacted] New York City, and [redacted] of the [redacted] New York City, regarding the $200,000 insurance policy on the 'Defiance.' Ascertain whether Lloyd's has made any attempt to recover the $100,000 insurance that they have already paid out on the 'Defiance' (to PPYCI, Industrial Gear Corporation and Andrew David Associates) - in this connection ascertain whether there was any further distribution of the $100,000 in insurance proceeds paid out to one [redacted] by the Industrial Gear Manufacturing Company, the Pied Piper Navigation Company, and the Andrew Davis Associates. Ascertain whether anyone has attempted to recover the second $100,000 insurance on the 'Defiance.' Further, ascertain whether there are any civil suits involving the loss of the 'Defiance' and what, if any, contact Roy Cohn, [redacted] or anyone else has made with K. Bell Associates and Lloyd's since January, 1973.

b7C

"7. Obtain the Federal Bureau of Investigation records on Roy Cohn, [redacted], [redacted] and [redacted]

b2c

"8. Obtain the original of the lease agreement between PPYCI and the law firm of Saxe, Bacon, Bolan and Manley and determine the actual monthly rental fee for the yacht [redacted] Roy Cohn has stated to the Federal Bureau of Investigation that the monthly rental was $2,200. Cohn also said that the monthly rental was to be paid directly to the mortgage holder, Andrew Davis Associates.) Pursuant to the aforesaid agreement, ascertain by whom, to whom, and in what manner the monthly rental fees for the 'Defiance' were paid.

1

"9. Ascertain on what basis a new insurance policy was written on the 'Defiance' on June 21, 1973, just two days prior to its sinking due to fire, without the submission of a current certificate or seaworthiness.

"10. Conduct an investigation to determine if the [redacted] interviewed on August 16, 1974, by Special Agent [redacted] in Santa Ana, California, is the same individual who, using the name [redacted] provide you with the original copies of all of their records concerning [redacted] car rental from June 14 to June 22, 1973. Please forward copies of all of the above documents to this office while keeping the originals in your possession. Have the Federal Bureau of Investigation Laboratory analyze the signatures on the car rental forms to establish whether they were signed by the same individual questioned on August 16, 1974, by the Federal Bureau of Investigation in Santa Ana, California. If the two individuals are the same, establish where [redacted] stayed in Florida in June, 1973, and where he went on June 22, 1973. Also establish whether [redacted] has any mechanical or electrical engineering background and if he is familiar with the machinery that one encounters in ships.

"11. Ascertain [redacted] source of income from January 1, 1973, to the present. Also determine if he has been obtaining welfare assistance during the above period and, if so, the amount of such assistance.

"12. Determine whether efforts had been made by the principals of Pied Piper Yacht Charters, Incorporated (PPYCI) or Roy Cohn and his associates to sell the 'Defiance' prior to its loss at sea due to fire.

"13. Interview [redacted] the carrier that insured the 'Wavemaker,' as to the details of the 'number of small incidents' which caused [redacted] to cease handling Roy Cohn's insurance matters. (Approximately 5 years ago, [redacted] of [redacted] insured a boat called 'The Wavemaker.' The boat burned up off Atlantic City, New Jersey, and a $100,000 insurance payment was made to the owner, 'Pevitto Corporation.' According to [redacted] the Pevitto Corporation was owned by Roy Cohn. About two years ago, [redacted] quit handling Roy Cohn's insurance matters as a result of the 'accumulation of a number of small incidents.')

b7C

"14. Interview [redacted] SUPSAL, NAVSHIP, Navy Department, telephone number [redacted]; and [redacted], United States Coast Guard, telephone number [redacted] relative to the feasibility of locating and raising the 'Defiance.'

"15. Reinterview [redacted] and [redacted], and ascertain if they would be willing to take a polygraph examination administered by a qualified examiner from the Federal Bureau of Investigation.

"16. Conduct such further investigation as you deem appropriate."

AT WASHINGTON, D.C.

WFO 45-393

[redacted]

The following investigation was conducted by Special Agent (SA) [redacted] at Washington, D.C. (WDC):

On October 30, 1975, [redacted] of Salvage (SUPSAL), Naval Ships Systems Command (NAVSHIPS), National Center Number 3, Crystal City, Arlington, Virginia, telephone [redacted] advised as follows:

[redacted] stated he was familiar with a case involving the sinking of a ship several years ago off the coast of Florida in which a young man died. [redacted] stated that he had actually spoken with the father of the victim who died and recalled that the father had been very irate and was extremely aggressive in seeking information regarding the circumstances surrounding the sinking of this ship. [redacted] was unable to recall the name of the ship involved.

[redacted] stated that as he recalls the situation, the ship sunk in the gulf stream in approximately 80 to 135 feet of water. [redacted] advised that if this is the situation, he felt it entirely possible that efforts to locate and recover this ship would be successful. [redacted] noted that through the use of "side scan sonar" it would be possible to obtain a "relatively good profile" of the sunken vessel. [redacted] noted, however, that the Navy usually utilizes the services of commercial contractors for salvage work of this type.

In response to a question regarding the cost of an operation such as this, [redacted] advised he would need drawings of the vessel involved and the "best estimate" as to her location at the time of her sinking. He advised that it would possible to prepare a "grid map" depicting the probable location of the sunken vessel based upon her location at the time of sinking, weather conditions, and current conditions in the area. He further stated that the cost and feasibility of a salvage operation would be dictated by the depth at which the vessel is now located.

[redacted] further noted that although he is not familiar with any of the legal problems which might be encountered, it would be possible, if the vessel is located in only 80 to 135 feet of water, to send divers below the surface to affect a hull inspection.

[redacted] was extremely cooperative and offered his assistance in whatever manner possible to the Federal Bureau of Investigation (FBI) and the Department of Justice regarding this matter.

On November 3, 1975, [redacted] United States Coast Guard (USCG), Claims and Litigation Department, 400 7th Street, S.W., WDC, telephone [redacted] advised as follows:

[redacted] advised that the USCG function regarding sunken vessels primarily applies to those vessels which are considered a hazard to navigation which are sunk in shipping lanes and/or channels. [redacted] stated that in the event a vessel such as the aforementioned is located and charted, the physical salvage of this vessel would be the responsibility of either the Army Corp of Engineers or the Supervisor of Salvage, United States Navy.

[redacted] further advised that he had just been in telephonic communication with a [redacted] USCG, Marine Inspection Office (MIO), Jacksonville, Florida, regarding the report to be prepared by [redacted] regarding the sinking of the vessel "Defiance". [redacted] explained to [redacted] that he would be in touch with FBI Agents in Florida later on that day regarding his report and investigation conducted by the USCG. [redacted] advised that [redacted] initial conclusion regarding the sinking of the "Defiance" was that no evidence of foul play existed.

[redacted] advised that any information in the files of the USCG Headquarters in WDC would be a duplication of information contained in [redacted] files and report.

On November 24, 1975, [redacted] of Salvage, Naval Ships Systems Command (NAVSHIPS), advised as follows:

b7C

[redacted] advised that the cost per day of searching for the "Defiance," assuming it was located within 15 miles of the shoreline, would be approximately $3500. [redacted] advised that this would cover the cost for a 12 hour workday, and would include the services of a technician and the search equipment. [redacted] noted, however, that this cost did not include the cost of a boat necessary to tow the search equipment which is mounted on a platform. The cost of such a boat may vary and could best be determined in the area where the search is to take place.

[redacted] again offered his services in whatever manner possible.

AT CHICAGO, ILLINOIS

4-750 (Rev. 4-17-85)

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FEDERAL BUREAU OF INVESTIGATION

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FBI/DOJ

AT SANTA ANA, CALIFORNIA

Investigation, Santa Ana, California, reveals [redacted] no longer resides at [redacted]

Inquiry at the United States Postal Service reveals he has moved and left a forwarding address of [redacted] which was effective March 6, 1975.

By communication dated October 14, 1975, the Miami Office of the FBI advised as follows:

[redacted]

4-750 (Rev. 4-17-85)

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FBI/DOJ

MM 45-1578

[redacted]

b1c

On December 9, 1975, [redacted] Marine Inspection Office, U.S. Coast Guard Station, Miami, Florida, telephone [redacted] advised that no additional investigation has been conducted on the destruction of the motor vessel "Defiance," since the initial investigation was launched by the Coast Guard.

[redacted] stated that he is unaware of any additional facts that have come to the attention of the Coast Guard which would be beneficial and of assistance in explaining the reason for the destruction of this ship.

AT NEW YORK, NEW YORK

FD-302 (REV. 11-27-70)

FEDERAL BUREAU OF INVESTIGATION

1.

Date of transcription 12/4/75

ROY M. COHN, Attorney, was interviewed at 39 East 68th Street, New York (NY), NY, and, at the outset of the interview, was advised of his rights by Special Agent (SA) [redacted]. An "Advice of Rights" form was furnished to Mr. COHN, who signed the form and stated he understood its contents.

Mr. COHN was previously requested to furnish the original of the lease agreement between "Pied Piper Yacht Charters, Incorporated" (PPYCI), and the law firm of Saxe, Bacon, Bolan and Manley. Mr. COHN explained that the lease had been misplaced, but that he would make attempts to obtain the same.

With regard to the new insurance policy written on the "M.V. Defiance", on June 21, 1973, Mr. COHN advised that it is the general practice when seeking insurance to immediately have a binder placed which, in effect, insures the vessel. The inspection leading to a "Certificate of Seaworthiness" generally takes one to two months, after the binder has been placed.

With regard to the monthly rental payments, Mr. COHN stated that his firm paid the mortgagee, Andrew David Associates, directly, by check. He stated he could not recall the monthly amount, but the amount would be related to the amount of the mortgage on the vessel, on a monthly basis, for the term of the lease. He stated he believed that the monthly rental was less than $4,000.00.

Mr. COHN stated that, to his knowledge, no efforts were made by his law firm, or PPYCI, to sell the vessel, prior to its loss at sea, due to fire.

Mr. COHN advised that, to his knowledge, the vessel, in June of 1973, was in good seaworthy condition, particularly because it had been recently in repair yards, and thousands of dollars were spent on it.

Interviewed on 12/3/75 at New York, New York File # NY 45-8094

by SAs [redacted] & [redacted] Date dictated 12/3/75

b7C

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CHMM stated that the captain of the vessel was directed to return it to New Jersey (NJ) in June of 1973, because it was needed there for a planned charter, by St. Francis' College. Other requests for the vessel to be chartered were made by various churches for a wedding celebration.

CHMM advised that he will endeavor to make available to the New York Office (NYO) of the FBI papers verifying charters in the New York City (NYC) area.

Lastly, CHMM advised that Lloyd's of London has offered to pay the remaining amount of insurance proceeds, up to $80,000.00, and that this offer has been put forth, in writing, and submitted to the United States District Court (USDC) for the Southern District of New York (SDNY). He stated it is his belief that PPMX will accept the $80,000.00, in final settlement of the insurance matter.

4-750 (Rev. 4-17-85)

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FEDERAL BUREAU OF INVESTIGATION
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45-11251-40 page 21

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FBI/DOJ

FD-263 (Rev. 1-7-72)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
TAMPA	TAMPA	3/9/76	1/7/76 - 3/2/76

TITLE OF CASE

UNSUB;
POSSIBLE DESTRUCTION OF MOTOR VESSEL "DEFIANCE" ON THE HIGH SEAS OFF CAPE CANAVERAL, FLORIDA, 6/23/73

REPORT MADE BY: SA [redacted] TYPED BY: [redacted]

CHARACTER OF CASE: CHS b7c

REFERENCE: Tampa report of SA [redacted] 12/30/75.

-P-

ADMINISTRATIVE:

[redacted] b7c b7d

LEADS

Information copies of this report are being sent New York and Miami in view of the fact that leads are currently outstanding within these divisions.

ACCOMPLISHMENTS CLAIMED ☐ NONE					ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☐YES ☐NO PENDING PROSECUTION OVER SIX MONTHS ☐YES ☐NO

APPROVED: [signature] SPECIAL AGENT IN CHARGE

DO NOT WRITE IN SPACES BELOW

45-112511-41 REC-59 EX-112

8 MAR 15 1976

COPIES MADE:
(2) Bureau (45-112511)
1-U.S. Department of Justice Attorney Daniel E. Fromstein
1-USA, Orlando
1-U.S. Coast Guard, Jacksonville
1-Miami (45-1578) (Info)
1-New York (45-8094) (Info)
2-Tampa (45-2277)

Dissemination Record of Attached Report

Agency	1-T (1cc-DOJ)			
Request Recd.				
Date Fwd.	3/18/76			
How Fwd.	[redacted] b7c			

Notations: [redacted] b7c

179

COVER PAGE

TP 45-227

TAMPA DIVISION

AT ORLANDO, FLORIDA

Will maintain contact with USA's office.

B*

COVER PAGE

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - United States Attorney, Orlando, Florida (RM)
1 - U. S. Department of Justice Attorney
Daniel E. Fromstein (RM) (Enc. 2)
1 - U. S. Coast Guard, Jacksonville, Florida (RM)

Report of: SA [redacted] Office: TAMPA
Date: March 9, 1976

Field Office File #: 45-227 Bureau File #: 45-11251

Title: UNKNOWN SUBJECT;
POSSIBLE DESTRUCTION OF MOTOR VESSEL "DEFIANCE"
ON THE HIGH SEAS OFF CAPE CANAVERAL, FLORIDA,
JUNE 23, 1973

Character: CRIME ON THE HIGH SEAS

Synopsis: [redacted] The file concerning the seizure of the "Defiance" obtained from the Office of the Clerk, USDC, SDF, Miami, Florida, [redacted]

- P -

DETAILS:

ENCLOSURES TO THE U. S. DEPARTMENT OF JUSTICE ATTORNEY DANIEL E. FROMSTEIN:

One copy of the file concerning the seizure of the "Defiance" obtained from [redacted] Office of the Clerk, U. S. District Court, Southern District of Florida, Miami, Florida. Also enclosed is a [redacted]

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

U. S. GOVERNMENT PRINTING OFFICE : 1969 O - 351-076

[redacted]

The following investigation was conducted by Special Agent [redacted] at Ft. Lauderdale, Florida:

[redacted]

The file concerning the seizure of the "Defiance" was obtained on December 30, 1975, by Special Agent [redacted] from [redacted] Office of the Clerk, United States District Court, Southern District of Florida, Miami, Florida.

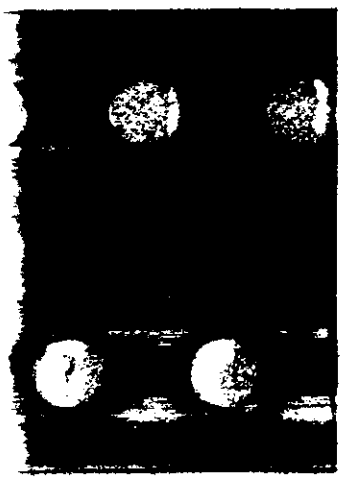
...FILED ON
DOCKET ...

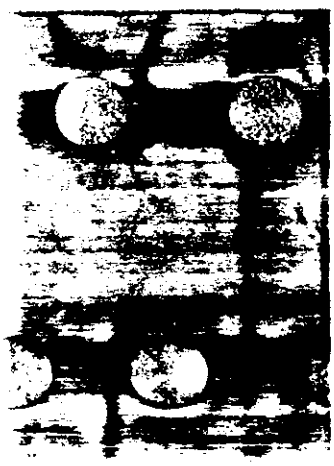
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

No. 73-982-Civ-CF

FORT LAUDERDALE CANDLELIGHT)
CORP., d/b/a Bahia Mar,
)
v.) ORDER
)
M/V DEFIANCE.
_____)

FILED
...
SOUTHERN DIST. OF FLA.
MIAMI, FLA.





This cause was considered upon the Court's Motion to Dismiss for lack of prosecution. Counsel for plaintiff informed the Court that after arrest the vessel was destroyed. Thereupon, it is

ORDERED and ADJUDGED that this cause be and the same is hereby dismissed without prejudice.

DONE and ORDERED at Miami, Florida, this 30 day of October, 1973.

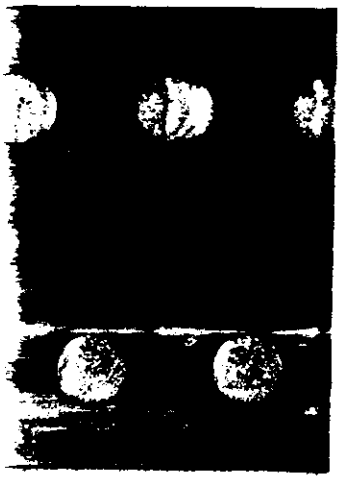
Charles B. Fulton
Chief Judge

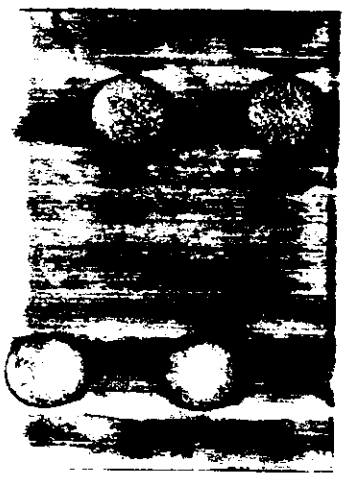
cc: Fleming, O'Bryan & Fleming

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

NO. 73-982-Civ-CF

FORT LAUDERDALE CANDLELIGHT CORP. d/b/a Bahia Mar)
)
v.)
)
M/V DEFIANCE)





FILED
Oct 15 11 13 AM '73
JOSEPH H. HUGHART
CLERK, U.S. DIST. CT.
SOUTHERN DIST. OF FLA.
MIAMI, FLA.

ORDER FOR HEARING
(Fed. Civil Rule 83 & Local Rule 13)

Good cause therefor appearing in the premises, it is

ORDERED:

1. That this cause be placed on the calendar for hearing and dismissal in the East Courtroom of the United States Post Office and Court House Building, 300 N. E. 1st Avenue, Miami, Florida, on October 26, 1973, at 9 a.m.

2. That the Clerk shall serve copies of this Order by United States Mail on counsel for all parties to this cause.

DONE and ORDERED at Miami, Florida, this 12th day of October, 1973.

Chief Judge

cc: Fleming, O'Bryan & Fleming

Form DJ-150
(Ed. 4-26-63)

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

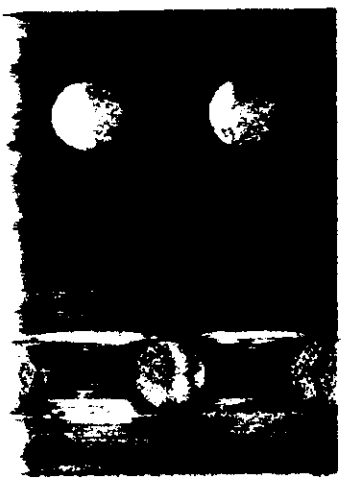
Memorandum

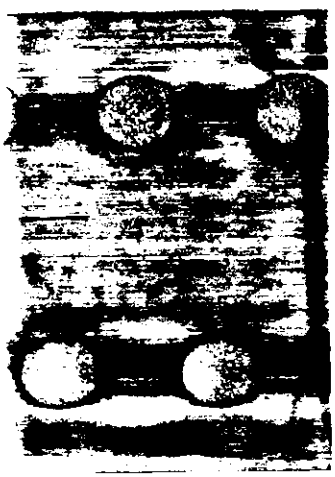
TO : HONORABLE CHARLES B. FULTON
Chief U.S. District Judge
Southern District of Florida

DATE: 8/20/73

FROM : DONALD D. FORSHT, U.S. Marshal
Southern District of Florida
BY: EDISON R. STOUT, Deputy U.S. Marshal

SUBJECT: M/V "DEFIANCE", Court # 73-982-Civ-CF





Motor Vessel "DEFIANCE" was attached on June 12, 1973.

Said Motor Vessel was taken without release on June 21, 1973, at 8:00 a.m.

Vessel burned and sank off Cape Canaveral on June 22, 1973, with loss of one life.

Case is now under investigation by the United States Coast Guard and the FBI. Case Agent for FBI, West Palm Beach Office, is Special Agent Mike Crane. Case pending at this time.

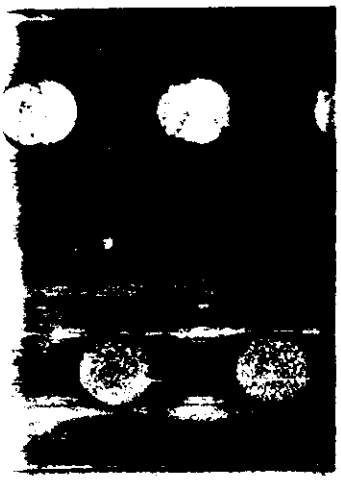
Marine 6-12-73

U.S. MARSHALS SERVICE
INSTRUCTION AND PROCESS RECORD

INSTRUCTIONS: See "INSTRUCTIONS FOR SERVICE OF PROCESS BY THE U.S. MARSHAL" on the reverse of the last (No. 5) copy of this form. Please type or print legibly, insuring readability of all copies. Do not detach any copies.

PLAINTIFF: FT. LAUDERDALE CANDLELIGHT CORP/ d/b/a Bahia Mar
COURT NUMBER: 73-982-Civ CF

DEFENDANT: M/V DEFIANCE
TYPE OF WRIT: Arrest



SERVE: NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
M/V DEFIANCE

AT: ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)
West Palm Beach Marina Dock
400 N. Flagler Dr., West Palm Beach, Florida

SEND NOTICE OF SERVICE COPY TO NAME AND ADDRESS BELOW:

Ronald FitzGerald
Fleming, O'Bryan & Fleming
American National Bank Building
P. O. Drawer 7028
Ft. Lauderdale, Florida 33304

Show number of this writ and total number of writs submitted, i.e., 1 of 1, 1 of 3, etc.: NO. 1 | TOTAL 1

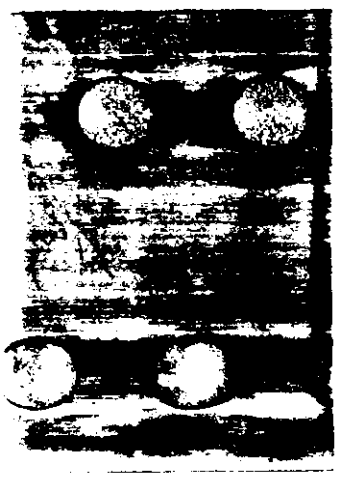
CHECK IF APPLICABLE:
☐ One copy for U. S. Attorney or designee and two copies for Attorney General of the U. S. included.

SHOW IN THE SPACE BELOW OR ATTACHED THE LEFT ANY SPECIAL INSTRUCTIONS OR OTHER INFORMATION PERTINENT TO SERVING THIS WRIT DESCRIBED ABOVE.

FILED
JUN 8 1973
31 AM '73
CLERK U.S. DIST. COURT
S. DIST. FLA.

SPECIAL INSTRUCTIONS:

The BOAT is going to LEAVE AT ANY TIME. Please serve AS SOON AS POSSIBLE. THANK YOU.



NAME AND SIGNATURE OF ATTORNEY OR OTHER ORIGINATOR: [signature]
TELEPHONE NUMBER: 945-2686
DATE: 6-11-73

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

Show amount of deposit (or applicable code) and sign USM-285 for first writ only if more than one writ submitted.
DEPOSIT/CODE: 200.00 | DIST. OF ORIGIN: 4 | DISTRICT TO SERVE: 4 | LOCATION OF SUB-OFFICE OF DIST. TO SERVE:

I acknowledge receipt for the total number of writs indicated and for the deposit (if applicable) shown.
SIGNATURE OF AUTHORIZED USMS DEPUTY OR CLERK: J. Hart
DATE: 6-11-73

☒ I hereby certify and return that I have personally served, have legal evidence of service, or have executed as shown in "REMARKS," the writ described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., at the address inserted below.

☐ I hereby certify and return that, after diligent investigation, I am unable to locate the individual, company, corporation, etc., named above within this Judicial District.

NAME AND TITLE OF INDIVIDUAL SERVED (If not shown above): ELMER BEARNARD Custodian
☐ A person of suitable age and discretion then abiding in the defendant's usual place of abode.

ADDRESS (Complete only if different than shown above): 400 N Flagler Dr W.P.B 833-6922
FEE (If applicable): $ 6.00
MILEAGE: $25.84

DATE(S) OF ENDEAVOR (Use Remarks if necessary): Toll 2.80
DATE OF SERVICE: 6-12-73
TIME: 10:00 AM
SIGNATURE OF U.S. MARSHAL OR DEPUTY: Edison Marine

REMARKS: 2 hrs Int 6.00 Special Servs Fee

RECEIVED
DEPARTMENT OF JUSTICE
JUN 11 3 12 PM '73
UNITED STATES MARSHAL
SOUTHERN DIST. FLORIDA
MIAMI FLORIDA

USM-285 (Ed. 7-1-70) 1. CLERK OF THE COURT

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

NO. CIV. ADM.

FORT LAUDERDALE CANDLELIGHT CORP., d/b/a BAHIA MAR,

Plaintiff,

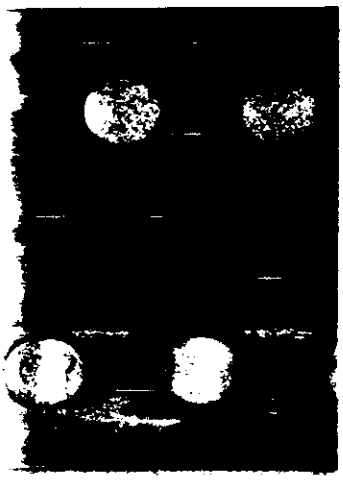
vs.

The Motor Vessel DEFIANCE,

Defendant.

73-982 CIV-CF

RECEIVED
DEPARTMENT OF JUSTICE
JUN 11 3 12 PM '73
UNITED STATES MARSHAL
SOUTHERN DIST. FLORIDA
MIAMI FLORIDA





WARRANT OF ARREST IN REM

THE PRESIDENT OF THE UNITED STATES OF AMERICA

TO: THE MARSHAL OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF FLORIDA. GREETING:

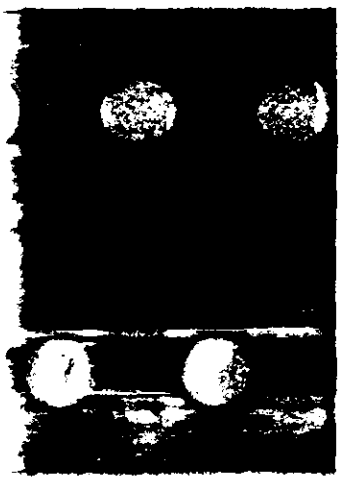
WHEREAS, on the 11 day of June, 1973, FORT LAUDERDALE CANDLELIGHT CORP., d/b/a BAHIA MAR, filed a complaint against the Motor Vessel DEFIANCE for the reasons in said complaint mentioned for the sum of $257.80.

NOW, THEREFORE, you are hereby commanded to take into your possession the above-named DEFIANCE and to detain the same in your custody until further Order of this Court to answer said complaint.

YOU ARE HEREBY further commanded forthwith to cite and admonish the Defendant to be and appear, by attorney or in person, before the District Court at the Clerk's Office thereof to be held at Miami in said District ten (10) days after the service, at 10:30 o'clock in the forenoon of that day, then and there to interpose in writing a claim, and therewith or thereafter a responsive pleading to the complaint filed herein within twenty (20) days following such claim or thirty (30) days after the service, whichever is less, a copy of which Complaint you shall serve upon the Defendant with this Writ directing the Defendant to serve a copy of his claim and of his responsive

pleading upon the Plaintiff's attorneys, FLEMING, O'BRYAN & FLEMING, American National Bank Building, Fort Lauderdale, Florida.

And how you shall have executed this Writ, make known to this Court with your certificate of execution thereof written.



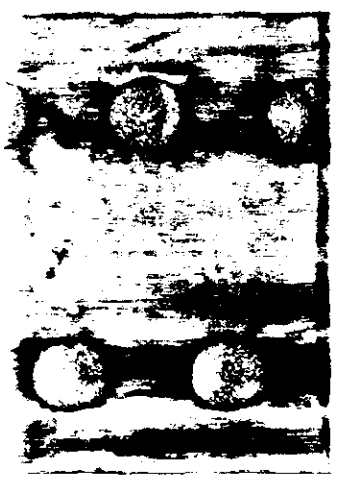
WITNESS THE HONORABLE

[redacted]

Judge of said Court at Miami, Florida in said district, this 11 day of June, 1973.

JOSEPH I. BOGART, Clerk

By: W B Boggart
Deputy Clerk



4-750 (Rev. 4-17-85)

XXXXXX
XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION

FOIPA DELETED PAGE INFORMATION SHEET

21 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

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☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

_____ Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

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45-11251-41 Enclosure

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X DELETED PAGE(S) X
X NO DUPLICATION FEE X
X FOR THIS PAGE X
XXXXXXXXXXXXXXXXXXX

XXXXXX
XXXXXX
XXXXXX

FBI/DOJ

SUBJECT Roy M. Cohn

FILE NUMBER 45-11251

VOLUME NO. 2

Documents which were referred from Department of Justice, Criminal Division

FD-263 (Rev. 1-7-7.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
TAMPA	TAMPA	9/27/76	7/16/76 - 8/24/76

TITLE OF CASE: UNSUB; POSSIBLE DESTRUCTION OF MOTOR VESSEL "DEFIANCE" ON THE HIGH SEAS OFF CAPE CANAVERAL, FLORIDA 6/23/73

REPORT MADE BY: SA [redacted] TYPED BY: [redacted]

CHARACTER OF CASE: CRIME ON THE HIGH SEAS

b7C

REFERENCE: Tampa report of SA [redacted] 3/9/76. b7C

-P-

ADMINISTRATIVE:

b7C

[redacted] He stated that he will not testify to rumors, hearsay, and information concerning COHN and requested that his identity remain concealed.

ACCOMPLISHMENTS CLAIMED				XX NONE	ACQUITTALS	CASE HAS BEEN:
CONVIC.	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR XX YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES XX NO

APPROVED: [redacted] SPECIAL AGENT IN CHARGE

DO NOT WRITE IN SPACES BELOW

45-11251-46 REC 28

EX-104

3 SEP 23 1976

COPIES MADE:
(2)-Bureau (45-11251)
1-U.S. Department of Justice Attorney Daniel E. Fromstein
1-USA, Orlando
1-U.S. Coast Guard, Jacksonville
2-New York (45-8094)
2-Tampa (45-227)

Dissemination Record of Attached Report	Notations
Agency: 1-DOJ (DAN FROMSTEIN)	[redacted] b7C
Request Recd.: 1-T	
Date Fwd.: 9/29/76	
How Fwd.: [redacted]	
By: [redacted] b7C	

COVER PAGE

The original contract entered into between the FBI by and through SA [redacted] and [redacted] is being maintained in the IA section of this file.

b7C
D

LEADS

NEW YORK DIVISION

AT NEW YORK, NEW YORK

Will endeavor to obtain the original lease between Pied Piper Yacht Charterers, Inc., and the law firm of Saxe, Bacon and Bolan.

Will contact [redacted]

TAMPA DIVISION

AT ORLANDO, FLORIDA

Will maintain contact with USA.

AT COCOA, FLORIDA

Will maintain contact with [redacted] concerning the underwater search of the "Defiance."

FD [illegible] (Rev 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:

1-United States Attorney, Orlando, Florida (RM)
1-U. S. Department of Justice Attorney
Daniel E. Fromstein (RM)
1-U. S. Coast Guard, Jacksonville, Florida (RM)

Report of: SA [redacted]
Date: September 17, 1976

Office: Tampa

b7C

Field Office File #: 45-227

Bureau File #: 45-11251

Title: UNKNOWN SUBJECT;
POSSIBLE DESTRUCTION OF MOTOR VESSEL
"DEFIANCE" ON THE HIGH SEAS OFF CAPE
CANAVERAL, FLORIDA, JUNE 23, 1973

Character: CRIME ON THE HIGH SEAS

Synopsis: [redacted]

b7C
d

The "Defiance" was located in approximately 67 feet of water off the coast of Cape Canaveral, Florida, and arrangements have been made to conduct an underwater search of the vessel. [redacted]

Pursuant to a USDC, SDNY, New York, order, the law firm representing Lloyd's of London, paid $80,000 to the court appointed trustee for Pied Piper Yacht Charterers, Inc.

-P-

DETAILS:

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U. S. GOVERNMENT PRINTING OFFICE [illegible]

TP 45-227

AT NAPLES, FLORIDA

[redacted]

AT COCOA, FLORIDA

On June 28th 1976 [redacted] advised that the "Defiance" had been located in approximately sixty-seven feet of water off the coast of Cape Canaveral and in

good weather the entire hull was visible; however, the ship is silted in and could only be raised in pieces. He advised that he has not been down on the ship but received his information from one

[redacted] U. S. Coast Guard, Jacksonville, Florida, advised on July 8, 1976, the U. S. Coast Guard could not give an accurate cost estimate on a crime scene search and related activity regarding this vessel. [redacted] recommended Marine Surveyor of Jacksonville, telephone

[redacted]

XXXXXX
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XXXXXX

FEDERAL BUREAU OF INVESTIGATION
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☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

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45-11251-46 page 4

XXXXXXXXXXXXXXXXXXX
X DELETED PAGE(S) X
X NO DUPLICATION FEE X
X FOR THIS PAGE X
XXXXXXXXXXXXXXXXXXX

XXXXXX
XXXXXX
XXXXXX

It is pointed out that surface conditions of the Atlantic Ocean water in the Florida East Coast area are no indication of what the underwater visibility will be at the bottom. It may require several trips to the sunken vessel before satisfactory conditions prevail for a crime scene search and photographs can be taken.

[redacted]

On August 19, 1976 [redacted], advised that a settlement of $80,000 was approved by the United States District Court (USDC), Southern District of New York (SDNY), for the second $100,000. However, he stated the court appointed a trustee for Pied Piper Yacht Charterers, Inc., to oversee the distribution of this money because of previous Security Exchange Commission (SEC) litigation involving defrauded stockholders of this corporation. He said ROY COHN's law firm represented

b7C
b7D

Pied Piper in this matter. [redacted] to the USDC, SDNY, order, [redacted] paid $80,000 to the court appointed trustee, one COURTLAND NICOLL. He stated he was not aware of any further distribution of the $20,000 to one [redacted]

On August 4, 1976, Assistant United States Attorney HARRISON T. SLAUGHTER, JR., Middle District of Florida, Orlando, Florida, and Agents [redacted] and [redacted] of the FBI met with [redacted] at the Cocoa, Florida, Resident Agency of the FBI, and discussed the matter of an underwater crime scene search of the "Defiance". A contract was subsequently prepared by Mr. SLAUGHTER and signed by [redacted] and Agent [redacted] of the FBI.

Contact has been maintained on a continuing basis with [redacted] regarding a suitable day to conduct the underwater crime scene search of the "Defiance"; however, a number of tropical storms and adverse underwater currents have forced [redacted] to postpone the search of the "Defiance". The last contact with [redacted] was on August 24, 1976.

b7C

FD-263 (Rev. 7-15-75)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
TAMPA	TAMPA	12/14/76	8/16-12/3/76

TITLE OF CASE

UNSUB;
POSSIBLE DESTRUCTION OF MOTOR VESSEL "DEFIANCE" ON THE HIGH SEAS OFF CAPE CANAVERAL, FLORIDA
6/23/73

REPORT MADE BY: SA [redacted] TYPED:

CHARACTER OF CASE

CRIME ON THE HIGH SEAS

b7

REFERENCE: Tampa report of SA [redacted] 9/17/76.

-P-

ADMINISTRATIVE:

Investigative period of this report predates that of rerep to include investigation conducted by the Los Angeles Division, not received in time for inclusion to referenced report.

Information copy being furnished New York in view of leads currently outstanding within that division.

ACCOMPLISHMENTS CLAIMED ☒ NONE							
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES	ACQUITTALS	CASE HAS BEEN:
							PENDING OVER ONE YEAR ☒ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☒ NO

APPROVED MRK SPECIAL AGENT IN CHARGE

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45-11251 47 DEC-37

1 DEC 17 1976

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1-U.S. Department of Justice Attorney Daniel E. Fromstein
1-USA, Orlando, Florida (RM)
1-U.S. Coast Guard, Jacksonville (RM)
1-New York (45-8094) (info)
2-Tampa (45-227)

Dissemination Record of Attached Report				
Agency	1-DOJ			
Request Recd.				
Date Fwd.	12/22/76			
How Fwd.	[redacted]			
By				

Notations: [redacted] b7C

b7

TP 45-227

LEADS

TAMPA DIVISION

AT ORLANDO, FLORIDA

Will maintain contact with USA's office.

AT COCOA, FLORIDA

Will maintain contact with [redacted]

b7C

B*

COVER PAGE

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:
1-U. S. Department of Justice
Attorney Daniel E. Fromstein (RM)
1-United States Attorney,
Orlando, Florida (RM)
1-United States Coast Guard,
Jacksonville, Florida (RM)

Report of: SA [redacted] Office: TAMPA
Date: DECEMBER 14, 1976

Field Office File #: 45-227 Bureau File #: 45-11251

Title: UNKNOWN SUBJECT;
POSSIBLE DESTRUCTION OF MOTOR
VESSEL "DEFIANCE" ON THE HIGH
SEAS OFF CAPE CANAVERAL, FLORIDA,
JUNE 23, 1973

Character: CRIME ON THE HIGH SEAS

Synopsis: [redacted] Weather conditions in the area where the "Defiance" has been located have prohibited any search of the vessel.

-P-

Details:

AT SANTA ANA, CALIFORNIA:

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☆ U.S.GPO:1975-0-575-841

4-750 (Rev. 4-17-85)

XXXXXX
XXXXXX
XXXXXX

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45-11251- 47 pages 2, 3, 4

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FBI/DOJ

AT COCOA, FLORIDA

On November 16, 1976, [redacted] advised Special Agent [redacted] that he has made regular checks of the area of the sunken vessel "Defiance" and specifically has checked the water in the depth in which the "Defiance" is located and it is still not clear enough to conduct a search and/or take photographs of the sunken vessel. He advised he would continue to make these checks periodically and on the first opportunity he would take the necessary photographs and advise the FBI.

On December 3, 1976, [redacted] again advised Special Agent [redacted] that he continues to make regular checks of the "Defiance" but conditions are not favorable for a search or to take photographs. He checks the area approximately three times a week and often goes down on the vessel to determine conditions underwater; however, visibility in the area is extremely limited. He advised that it might be as late as Spring of 1977 before conditions improve and allow him to fulfill his responsibilities outlined in the contract.

FD-263 (Rev. 7-15-75)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
TAMPA	TAMPA	3/21/77	2/15/77 - 3/3/77

TITLE OF CASE
UNSUB;
POSSIBLE DESTRUCTION OF MOTOR VESSEL "DEFIANCE" ON THE HIGH SEAS OFF CAPE CANAVERAL, FLORIDA, 6/23/73

REPORT MADE BY
SA [redacted]

TYPED BY

CHARACTER OF CASE
CRIME ON THE HIGH SEAS b7c

REFERENCE: TPrep of SA [redacted], 12/14/76.

-P-

ADMINISTRATIVE:

Information copy being furnished to New York in view of leads currently outstanding within that division.

ACCOMPLISHMENTS CLAIMED						ACQUITTALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR [X] YES [] NO PENDING PROSECUTION OVER SIX MONTHS [] YES [X] NO

☐ NONE

APPROVED

SPECIAL AGENT IN CHARGE

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45-11251-48 REC-92 ST-109

14 MAR 28 1977

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1-USA, Orlando (RM)
1-U.S. Coast Guard, Jacksonville, Florida (RM)
1-New York (45-8094) (Info)
2-Tampa (45-227)

Dissemination Record of Attached Report				
Agency	1-DOJ			
Request Recd.				
Date Fwd.	3/31/77			
How Fwd.				
By	[redacted] b7c			

Notations
[redacted] b7c

57 APR 4 1977

COVER PAGE

TP 45-227

LEADS

TAMPA DIVISION

AT ORLANDO, FLORIDA

Will maintain contact with the U. S. Attorney's Office.

AT COCOA, FLORIDA

Will maintain contact with [redacted]

b7C

B*

COVER PAGE

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - United States Department of Justice Attorney
DANIEL E. FROMSTEIN (RM)
1 - United States Attorney, Orlando, Florida (RM)
1 - United States Coast Guard, Jacksonville, Florida (RM)

b7C

Report of: SA [redacted] Office: TAMPA
Date: MARCH 21, 1977

Field Office File #: 45-227 Bureau File #: 45-11251

Title: UNKNOWN SUBJECT;
POSSIBLE DESTRUCTION OF MOTOR VESSEL "DEFIANCE"
ON THE HIGH SEAS OFF CAPE CANAVERAL, FLORIDA,
JUNE 23, 1973

Character: CRIME ON THE HIGH SEAS

Synopsis: Lloyd's of London agreed to pay Pied Piper Yacht Charterers, Inc., and Industrial Gear Corporation $80,000 out of the second $100,000; however, the Securities and Exchange Commission (SEC) brought suit against Pied Piper and Industrial Gear on behalf of the defrauded stockholders and this resulted in a trustee being appointed to collect the $80,000 because it represented assets of the two defendants. The $80,000 is being distributed to the defrauded stockholders and none of it will be paid to Pied Piper or Industrial Gear. Weather conditions continue to prohibit underwater crime scene search of the "Defiance".

- P -

DETAILS:

b7
C-D

On February 15, 1977, [redacted] advised that Lloyd's of London agreed to pay Pied Piper Charterers, Inc., and Industrial Gear Corporation $80,000 out of the second $100,000; however, the Securities and Exchange Commission (SEC)

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U. S. GOVERNMENT PRINTING OFFICE : 1970 O - 406-840

brought suit against Pied Piper and Industrial Gear on behalf of the defrauded stockholders. [redacted] He stated this money is to be distributed to the defrauded stockholders and none of it was or will be paid to Pied Piper or Industrial Gear.

b7
b2
b7D

AT COCOA, FLORIDA

[redacted] Contact has been maintained with [redacted] on a continuing basis and on March 3, 1977, advised Special Agent (SA) [redacted] that conditions appear to be improving, although the water continues to be too dirty and weather conditions are still not favorable at this time. [redacted] will immediately advise SA [redacted] when conditions are favorable and he can fulfill his contractual obligations to conduct an underwater crime scene search of the "Defiance".

FD-263 (Rev. 7-15-75)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
TAMPA	TAMPA	9/20/77	3/30/77 - 9/13/77

TITLE OF CASE

UNSUB;
POSSIBLE DESTRUCTION OF MOTOR VESSEL "DEFIANCE" ON THE HIGH SEAS OFF CAPE CANAVERAL, FLORIDA, JUNE 23, 1973

REPORT MADE BY: SA [redacted] TYPED BY [redacted]

CHARACTER OF CASE

CRIME ON THE HIGH SEAS b7C

REFERENCE: Tampa report of SA [redacted] 3/21/77.

-P-

ADMINISTRATIVE:

Information copy of this report being furnished New York in view of leads currently outstanding within that Division.

It is recognized that the investigative period is extensive; however, this matter has been kept current through interoffice communications and through investigation conducted at Cocoa, Florida.

ACCOMPLISHMENTS CLAIMED ☐ NONE						ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☐ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

APPROVED [redacted] SPECIAL AGENT IN CHARGE

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45- 11251 - 49 REC-5

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1-New York (45-8094)(Info)
2-Tampa (45-227)

Dissemination Record of Attached Report

Agency	ICC Rept to DOT (Attn Coast Guard)
Request Recd.	
Date Fwd.	10-4-77
How Fwd.	
By	[redacted] b7C

Notations: [redacted] b7C

COVER PAGE

e43—16—83480-1 GPO

TP 45-227

LEADS

TAMPA DIVISION

AT ORLANDO, FLORIDA

Will maintain contact with USA's office at Orlando.

AT COCOA, FLORIDA

Will maintain contact with [redacted]

b7C

B*
COVER PAGE

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to:
1 - U.S. Department of Justice Attorney
DANIEL E. FROMSTEIN (RM)
1 - U.S. Attorney, Orlando, Florida (RM)
1 - U.S. Coast Guard, Jacksonville, Florida (RM)

Report of: SA [redacted] Office: Tampa
Date: September 20, 1977

Field Office File #: 45-227 Bureau File #: 45-11251

Title: UNKNOWN SUBJECT;
POSSIBLE DESTRUCTION OF MOTOR VESSEL "DEFIANCE"
ON THE HIGH SEAS OFF CAPE CANAVERAL, FLORIDA,
JUNE 23, 1973

Character: CRIME ON THE HIGH SEAS

Synopsis: Adverse conditions continue to prohibit the underwater crime scene search of the "Defiance".

-P-

DETAILS:

[redacted] contacted the Cocoa, Florida Resident Agency of the Federal Bureau of Investigation on May 20, 1977, and advised the water conditions at the bottom of the ocean in the area where the "Defiance" is located are not clear enough to permit suitable photographing or to conduct a crime scene search. He stated he is monitoring the water conditions on a regular basis and will immediately notify the Cocoa Resident Agency when he feels a successful operation can be performed.

Efforts to contact ROY COHN, 39 East 68th Street, New York, New York, on May 20, 1977 and June 6, 1977, met with negative results.

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☆ U.S.GPO:1975-0-575-841

On June 17, 1977, COHN was contacted at his residence regarding the lease between Pied Piper Yacht Charterers, Inc., and Saxe, Bacon. COHN stated that he thought the lease was among the documents already furnished regarding the sale of the vessel from Pevitto to Pied Piper Yacht Charterers. However, he agreed to recheck his files for the lease and contact the New York Office of the FBI.

Regular contact has been maintained with [redacted] regarding this matter. [redacted] stated he made a dive on June 18, 1977, and took sixteen exposures even though the visibility was not suitable for good photography. The sixteen negatives were viewed by Special Agent [redacted] on July 1, 1977, and appeared not to be of good enough quality to develop suitable prints from. [redacted] advised that there is still too much plankton in the water to get clear enough negatives for suitable prints and he would continue to make periodic dives on the "Defiance" and will definitely take a representative number of exposures when he feels the conditions are clear enough to make it worthwhile. He advised he would notify the Cocoa Resident Agency of the FBI when the water is clear enough so that Agent personnel could accompany him when he attempts to get the photographs and conduct a crime scene search.

b7D

Efforts to contact [redacted], on September 13, 1977, were unsuccessful.

FD-263 (Rev. 7-15-75)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
TAMPA	TAMPA	NOV 1 7	9/28/77 - 11/4/77

TITLE OF CASE

UNSUB;
POSSIBLE DESTRUCTION OF
MOTOR VESSEL "DEFIANCE"
ON THE HIGH SEAS OFF
CAPE CANAVERAL, FLORIDA
6/23/73

REPORT MADE BY [redacted] TYPED [redacted]

CHARACTER OF CASE

CRIME ON THE HIGH SEAS

b7c

EXP

REFERENCES: Tampa report of [redacted] dated 9/20/77.

C

ADMINISTRATIVE:

Information copies of this report are being furnished to the New York Office, in view of the fact that leads have been covered by them in the past and their interest in this case. Also information copies of this report are being furnished to Coast Guard in Jacksonville due to the fact that they had an interest in this investigation.

EXP. PROC.
34 NOV 17 1977

ACCOMPLISHMENTS CLAIMED ☐ NONE						ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	PRETRIAL DIVERSION	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ☒ YES ☐ NO PENDING PROSECUTION OVER SIX MONTHS ☐ YES ☐ NO

APPROVED [redacted] SPECIAL AGENT IN CHARGE

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45-42251-50 REC 58
23
2C NOV 1977
ST-131

Dissemination Record of Attached Report	
Agency	ICC (Rept) to Dept. of Transportat.
Request Recd.	
Date Fwd.	11/22/77
How Fwd.	[redacted]
By	[redacted]

Notations [redacted]

b7c

A*

COVER PAGE

c43—16—83480-1

FD-204 (Rev. 3-3-59)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1-United States Department of Justice Attorney
DANIEL E. FROMSTEIN
1-USA, Orlando, Florida
1-United States Coast Guard,
Jacksonville, Florida

Report of: SA [redacted] b7C Office: TAMPA

Date: NOV 11 1977

Field Office File #: 45-227 Bureau File #: 45-11251

Title: UNKNOWN SUBJECT;
POSSIBLE DESTRUCTION OF MOTOR VESSEL "DEFIANCE"
ON THE HIGH SEAS OFF CAPE CANAVERAL, FLORIDA,
JUNE 23, 1973

Character: CRIME ON THE HIGH SEAS

Synopsis: USA at Orlando on 9/27/77, advised that this matter does not justify the further expenditure of Bureau manpower and resources, and suggested that the investigation be terminated.

C

DETAILS:

By letter dated September 27, 1977, the Federal Bureau of Investigation Office in Tampa, Florida, received a communication from KENDELL W. WHERRY, Assistant United States Attorney in Orlando.

Mr. WHERRY advised that the investigation in this matter had been ongoing since June, 1973. Many hours have been expended by the Federal Bureau of Investigation endeavoring to develop facts to warrant a prosecution. Mr. WHERRY advised that after review of the information in reports contained in their files, it is concluded that this matter does not justify the further expenditure of Bureau manpower and resources. As there were no provable facts to support the return of an indictment, Mr. WHERRY suggested that our investigation be terminated and that he was closing his case.

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